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DOCTOR OF PHILOSOPHY

Space, place and policing in Scotland's night-time economy

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Neil Davidson

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Space, place and policing in Scotland's night-time economy

Neil Davidson

PhD Thesis

University of Dundee

December 2011

For my parents

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Declaration

I confirm that I am author of this thesis and that I have consulted all references cited within. This thesis is a record of the work I have done and has not previously been accepted for a higher degree.

.....

Neil Davidson

I confirm that the conditions of the relevant Ordinance and Regulations have been fulfilled in relation to this thesis.

.....

Professor Nick Fyfe

Abstract

There is a growing political discourse in Scotland acknowledging alcohol to be a significant contributor to crime. A significant portion of this is directly related to the evening and night-time drinking based leisure industry i.e. the night-time economy (NTE). The NTE is often characterised by violent and disorderly behaviour concentrated in and around pubs and nightclubs ('hotspots') on weekend nights presenting considerable public health, criminal justice and urban management issues. Recently the political rhetoric has been backed up by new legislation in an attempt to counterbalance what was previously a market-driven economy. There now exists various crime reduction partnerships and situational crime prevention technologies to restrict and control certain behaviours and the presence and movements of persons and groups. This research project has specifically focussed on the role of police in this rapidly changing regulatory NTE context. Combining data gathered from participant observation sessions with front-line police and in-depth interviews with multiple NTE stakeholders in a multi-site comparison study across Scotland, this research project provides a robust evidential base from which to analyse and interpret policing of the NTE at the national and local scales using various conceptual frameworks of contemporary policing in western societies. What my findings have shown is that front-line officers have adapted their police work in order to suit the specific context within which they are operating. I have termed this specific variation on traditional understandings of 'cop culture' as being the 'street craft of policing the NTE'. Furthermore, while this street craft was evident across all three case study areas, the extremely tangled and convoluted nature of local security provision at the local scale

necessitates that front-line officers adapt this street craft to meet the local specificities of their respective NTEs.

Chapter One: Introduction

In terms of crime, there is a real apocalypse if we don't actually get to grips with the acceleration of the consumption of alcohol. Alcohol is present in almost all violent crime... I suspect that if we could knock the alcohol problem on the head we would have a very significant reduction of crime in this country (Lord Advocate Elish Angiolini, quoted in *The Telegraph*, 23/03/11¹).

There is thus a clear need to conduct research that builds a more robust evidential base for decision-making in Scotland. Alcohol policy in Scotland is entering a very interesting phase and it is essential that research emerges to monitor and inform the debate and policy outcomes in Scotland, particularly in relation to nightlife and crime (Elvins, 2009:62).

The above quote from Lord Advocate Elish Angiolini highlights a growing political discourse in Scotland acknowledging alcohol to be a significant contributor to crime. This is particularly the case with violent inter-personal crime. The Scottish Crime and Justice Survey 2009-2010 found that victims of crime perceived the offender to have been under the influence of alcohol in 62% (12% higher than in England and Wales) of recorded violent crime, and this compared to only 26% perceived to be on drugs ('2009/10 Scottish Crime and Justice Survey: Main Findings', Scottish Government, 2010:51). However, the discourse of the negative issues related to alcohol extends beyond crime. The Cabinet Secretary for Justice Kenny MacAskill has gone as far as labelling alcohol "the problem of our time [and] the major criminal justice, *health and social issue* in Scotland (quoted in Elvins, 2009:51, added emphasis). The Cabinet

¹ 'Lord Advocate warns of Scotland alcohol 'apocalypse'', <http://www.telegraph.co.uk/news/uknews/scotland/8401283/Lord-Advocate-warns-of-Scotland-alcohol-apocalypse.html> (accessed on 25/03/11).

Secretary for Health and Wellbeing Nicola Sturgeon has stated that because the issues are so diverse the Government's attempts to "rebalance Scotland's relationship with alcohol" needs to include "the health service, local government, the alcohol industry, the police and the third sector [in] a rolling programme of work over the coming months and years" (Nicola Sturgeon (Scottish Executive 2009:4)). Even the Chief Officer of Strathclyde Fire and Rescue has stated that the "three key reasons (for house fires) [are] Number 1: alcohol, Number 2: alcohol, and Number 3: alcohol"².

A significant number of these issues are related to the long-standing evening and night-time drinking based leisure industry in the UK. This industry – which has seen a rapid growth in terms of the size and number of licensed premises, as well as their spatial (density of licensed premises) and temporal (operating hours) parameters – has come to be referred to as the 'night-time economy' (NTE). In the UK, violent crime, criminal damage and public disorder have long been associated in and around night-life areas (Bromley and Nelson 2002; Deehan, 1999; Engineer et al, 2003; Hobbs et al, 2003). However, the consensus is that certain features of the contemporary NTE are unique, notably the speed of its growth and the market driven ethos of high rates of consumption and presentation of a "controlled loss of control" (Hall and Winlow, 2005:381). The consequences of this situation for public services (i.e. the police and health services) are so challenging that some have even described the contemporary NTE as "arguably pos[ing] the greatest threat to public order in Britain today" (Hadfield, 2006:1).

² 'Alcohol 'key reason' for house fires in Scotland', <http://www.strathclydefire.org/news--campaigns/news/2011/january/alcohol-%27key-reason%27-for-house-fires.aspx>, (accessed on 25/03/11)

Recently there has been strong political rhetoric backed up by new legislation in an attempt to modify this situation. Regarding regulation in England and Wales, Hadfield (2009) argues that there has been a 'decade of grip tightening' since the end of the 1990s and that "numerous concessions in the form of new powers and funding for police and local authorities were made to counterbalance or reconfigure what had been a thoroughly neo-liberal policy agenda" (ibid:467). There now exist various combinations of situational crime prevention technologies with spatially-targeted powers designed to restrict and control behaviours, presence and movements of persons and groups in the UK and further afield (Hadfield 2009a). In Scotland, these include new powers created by the Licensing (Scotland) Act 2005 (i.e. introduction of a Licensing Standards Officer, immediate Personal and Premise License Reviews, banning of 'Happy Hours', restrictions of 'irresponsible pricing' promotions, etc.) and attempts by the Scottish Government to introduce 'Minimum Pricing' and a 'Social Responsibility Levy'. Changes to the purchase and place of consumption of alcohol have also been identified. The long-term effects of these changes is still unclear, however, a recently recorded decrease in alcohol consumption in the UK has led Measham (2008) to argue the late 2000s can be characterized as the "calm after the storm" and that "the frenzied alcohol-orientated leisure of recent years has run its course" (ibid:217), although the exact causes of this remain unclear. However, she also acknowledges that this optimism is underlined by the fact that overall consumption remains high (when compared to the past few decades in the UK and compared to the rest of Europe) and it is the location of consumption that is moving from on-sales venues (i.e. NTE) to unmonitored environments (i.e. private spaces or potentially 'risky' public

spaces (see Forsyth, 2000) and alcohol purchased from off-sales, a pattern that appears to be particularly pronounced in Scotland³.

Overall then, the NTE in Scotland is a multifaceted issue and it currently exists in a rapidly changing policy context due to its inherent links to alcohol consumption. However, despite the obvious need for research to be conducted in Scotland to inform this evolving policy environment, particularly in relation to crime, to date the only research done on this subject are the collective works by Forsyth (2005, 2006, 2009a, 2009b). My research seeks to help provide “research that builds a more robust evidential base... [to] monitor and inform the debate and policy outcomes in Scotland” that Elvins called for in the quote start of this chapter. My research also provides another significantly neglected area in the NTE literature as a whole; engagement with the police. Despite the obvious central role of the police in addressing this potential crime ‘apocalypse’ and the significant ‘threat to public order’ highlighted by Lord Advocate Elish Angiolini in the opening quotation to this chapter, studies that have engaged with the police in the NTE context remain few in number, and to date none has been conducted specifically in Scotland.

Of the literature that does exist on this subject matter, the view is that much of the NTE is “woefully under-policed” (Hall and Winlow, 2005:381) and only covered by a “frighteningly small embattled shift of police” (Hobbs et al. 2000:713). The police are

³ Overall, the estimated litres per capita of pure alcohol (population 16 and above) sold in Scotland between 2005 and 2009 have remained stable, however there has been a decrease of 15% in on sales (from 4.6 litres per capita in 2005 to 3.9 litres per capita in 2009) and a rise of 8% in off-sales (from 7.4 litres per capita in 2005 to 8.0 litres per capita in 2009) (Alcohol Statistics Scotland (2011)).

described as only being able to provide a reactive ‘fire brigade’ response to incidents; officers ‘swarm’ an area to quickly quell problems and then race off to the next incident (Hobbs et al., 2003). Hobbs et al. (2002) have even gone as far as to argue that the rapid increase in size and scale of the NTE, with the associated high rates of crime and disorder, combined with the under-provision of the state to provide adequate planning and funding for state police has led to the private security sector (i.e. bouncers) being “the primary custodians of order” (ibid:366). However, whilst their assertion that bouncers are the primary custodians of the NTE may be correct with regards to the private spaces (e.g. bars and nightclubs), it is in fact the police that are the primary, legally empowered custodians of the NTE’s public spaces. Indeed, the police’s responsibilities, highlighted by Hadfield in the opening quote of this chapter, are far more diverse and challenging than those of the bouncers and indeed of any of the other policing bodies in the NTE, a point noted by Hadfield (2006) who highlighted “the scale and difficulty of the crime control, crowd management, prioritization, and duty of care responsibilities vested in the police” (ibid: 144). Furthermore, “there is no private army of security staff on hand in the streets to maintain order in the melting pot that is the city centre’s streets after all the pubs have spilled out their patrons, often simultaneously, at closing time” (Forsyth, 2005:175).

The absence of comprehensive police focussed research and the limited scope of existing studies raises numerous issues: how do individual officers cope with these seemingly tremendous pressures? How do they control the spaces of the NTE? What is the role other policing agencies, both strategic (e.g. local licensing authorities, members of the licensing forums, Security Industry Authority) and operational (e.g.

bouncers, taxi rank stewards, CCTV operators), in the NTE? How does the policing of the NTE vary over space and between places? From these embryonic lines of thought the research questions for this thesis grew and evolved into three broad research questions;

- 1) What contexts and processes developed the contemporary NTE at the national UK and Scottish level and how have these national contexts combined with local influences to create the current NTEs of the case study locations?
- 2) What is the specific role of the police in 'policing' the NTEs, what influences their role, and how is this implemented 'on the ground'? Does this role fit with other conceptualisations of policing?
- 3) What constitutes 'policing' of these NTEs and who is involved in this, how and to what extent? Where do these NTE specific policing strategies fit in the wider context of conceptualisation of crime control in modern societies?

My thesis provides a piece of research that has specifically focussed on the role of the police in the NTE context and explored these issues in depth using original data collected primarily through qualitative methods of research of in-depth interviews and participant observation sessions. Ultimately it is hoped that this research project will help to provide part of a more robust evidential base from which to analyse and interpret policing of the NTE and inform the need for evidence-based research at a time when such research has never been more necessary.

The thesis is broken down into nine chapters. In chapter two, I outline the history of the NTE and show that many of the issues related to the contemporary NTE (e.g. high rate of alcohol consumption, crime and public disorder, fear/pleasure dichotomy of the 'night', profit making through sale of alcohol and night-time entertainment,

creation of a temperance movement) have been present for hundreds of years. I then describe the creation of the current incarnation of the NTE and how this was linked to a quite deliberate attempt to foster urban regeneration of deserted urban centres through a 'cafe culture'/European style relaxed drinking environment. I then bring the debate up-to-date by describing how this 'cafe culture' both succeeded (economically) and failed (to provide diversity and a 'relaxed' drinking environment), the reaction by the state to the resultant issues this process brought, and the most recently identified changing patterns of consumption to the key commodity of the NTE; alcohol. I conclude the chapter by describing the situation in Scotland in relation to the contemporary political and research context.

In chapter three, I discuss the various conceptual lenses I used to analyse the data gathered. I begin by focussing on geography's recent evolution on the subject of police-based research, from the call by Fyfe (1991) for the need for appreciation of the importance of context and its influence on police work, to exploring in-depth Herbert's conceptualisation of the 'normative orders' of police work and outlining why I have chosen to base much of my analysis based on this framework. I then turn to the wider interest in policing in late modern societies. In this section I focus on Garland's highly influential 'culture of control' thesis where he highlights how 'safety' in neo-liberal societies involves a complex interplay between traditional 'sovereign state' strategies (the state delivers enhanced social control and expressive punishments via agents like the police and prisons) and 'adaptive strategies' (encouraging greater public responsibility and the formation of new anti-crime partnerships). Turning to focus specifically on the police, I bring in the wider debates regarding the processes of

‘pluralisation’ of policing and present some of the recent debates as to what the future of policing will possibly look like. I conclude by showing that the NTE is an ideal environment within which to examine these conceptual frameworks of ‘sovereign’ and ‘adaptive’ strategies, urban governance, and police power and practice.

In chapter four I outline the merits of the chosen methodology, outlining why this specific approach was chosen and how this ultimately affected my analysis and findings. Three key aspects of this methodology were a) the level of engagement with the police at the front-line of policing the NTE through participant observation, supplemented by extensive interviewing, b) the inclusion of a broad spectrum of the views of non-police actors and, c) that this was conducted across three separate sites across Scotland over an extended period of time.

Chapter five provides a descriptive summary of the three pseudo-named case study areas of Southshire, West Patrick and Spaybridge (see chapter five for rationale of maintaining anonymity of case study areas) and their ‘night-time economies’⁴ (NTEs) that were the focus of the research. Included are vignettes from each of these areas that are taken from selected participant observation sessions conducted with the police to attempt to convey a sense of what police officers deal with during the course of a ‘typical’ weekend night.

⁴ The term NTE (night-time economy) implies homogeneity; however several researchers, including myself, have recognised the importance of local influences on shaping NTE of that area. I would therefore argue that it is also appropriate to use the term NTEs (night-time economies) which implies heterogeneity and allows for a distinction to be made between NTEs at different sites. The two terms are used interchangeably throughout this thesis as both terms are relevant in specific contexts.

A large portion of the next two chapters draws upon Herbert's 'normative orders' of policing as a conceptual lens through which to understand the spatiality of police actions in the NTE. Herbert argues that these 'normative orders' give meaning to and direct police actions and influence how they define and control territory i.e. how they make and mark space. In Chapter six, I examine the objective normative orders of law and bureaucratic ordering and focus on how the raft of new spatially-targeted powers that impose or threaten to place restrictions on the presence, behaviour and movements of individuals in the NTE context are pragmatically utilized by officers. How bureaucratic structures inherent in the police organization can exert an influence on the spatial organization of police work in the NTE of different areas is also examined. In Chapter seven, I discuss the more subjective normative orders – machismo, safety, competence and morality – but show how these are less suitable as a conceptual tool to understand police actions. I argue that there is a need for a greater appreciation of local context and an appreciation of the unique challenges posed by the NTE context in order to fully understand police actions in the NTE.

In chapter eight, I move the focus from the police to the other members of the 'policing family' and examine how non-police actors are involved in various security networks. Central to my analysis is the engagement with various conceptual frameworks which have been proposed by others as a means of understanding how these networks have come about and how they work to provide security governance in private and public spaces. My research has highlighted how these conceptualizations are relevant, and that they are often insufficient to fully appreciate the embedded and deeper complexities played out in different specific locations.

In chapter nine, I return to the research questions and bring the arguments laid out in the previous chapters together to provide a discussion of the wider implications of my findings. I break this discussion into three interrelated sections; the security governance of the NTEs, the understanding of the role of the police in the NTE context and the members of the extended policing family.

In the final Chapter, I offer a conclusion to my findings and provide a retrospective look back over the research process. I conclude by suggesting areas for future research and, in accordance with the ethos of my funding body SIPR (Scottish Institute for Policing Research), that findings should ultimately be “to make evidence-based contributions to policing policy and practice...[and] to help the police meet the challenges of the 21st century”⁵, I offer some potential policy implications that have arisen from my findings.

⁵ <http://www.sipr.ac.uk/aboutus/index.php> (accessed on 17/03/11).

Chapter Two: Understanding the night-time economy

In this chapter I want to define what constitutes the contemporary NTE and outline the major processes that have shaped it. The purpose of doing this is to show, firstly, that the NTE has evolved from a particular historical set of social, cultural and economic circumstances that still exert an influence today, but also, secondly, how the contemporary NTE is distinct from the previous incarnations of the NTE, creating a unique set of circumstances, issues and subsequent responses involving a wide range of stakeholders. I begin the chapter by examining accounts of urban historians and references to the origins of night time leisure. I then contemporize the discussion and look at the reasons for the developments of a discourse within local and national government (circa 1980) that conceptualized the night time leisure market as a problem and how this could be modified to be more desirable to a wider population and help to bring about urban regeneration. The discussion then moves onto what is currently understood to represent the contemporary UK NTE and I examine the academic literature which has analyzed its development. I end the chapter by looking specifically at the Scottish NTE context with particular focus on how this has diverged from the rest of the UK in the past five years.

2.1 Historical perspectives on the night: from fear to commerce

The night has always been a source of fascination and fear; it is a time for relaxation from the more rigidly work-related and socio/cultural constructed daytime, but is also a time represented by mythology, ghost stories and a primal fear of the “work of fang and claw” (Milne and Milne, 1956, quoted in Hadfield, 2009:22). Historically the coming of darkness was followed by a general retreat into the sanctity of one’s private home. The darkness of the night that engulfed public spaces was perhaps the primary factor in restricting any NTE development and for “fifteen or more millennia before Christ to A.D. 1782 there was practically no improvement in [public] lighting at all” (O’Dea, 1958:1). What little there was after that was prohibitively expensive for all but a few, and the general populace was “not encouraged to wander about at night” due to curfews being in effect (ibid:94). Hindered by a lack of sight in the dark, those who chose to navigate the public spaces of the dark did so by relying on “local lore, magic, and their knowledge of the natural universe” and resorted to using their “hearing, smell...touch [and] charms to ward off evil” (ibid:50). This darkness presented illicit opportunities and a “secluded interval in which to commit acts of petty crime: filching from shops, dockyards, and other urban workplaces [in towns and] pilfering firewood, poaching, and robbing orchards [in the countryside]” (Ekirch, 2001:370). Once inside the confines of their houses, inhabitants would prepare as if “girding for an impending siege”, with arsenals of “swords and firearms, or cudgels, sticks, and bed staves” (ibid:353).

It was not until the mid-eighteenth century that the installation of gas and later electricity became widespread in cities and public and private spaces became illuminated, although this was initially limited to selective areas of business centers and wealthy suburbs. There were some who saw the imposition of light as being an unwelcome extension of the panoptic eye of the state and actively resisted its installation (Schivelbusch, 1995), but for cities that had the technology it was seen as a domestication of the night and a duty of the municipality “like the provision of clean drinking water” (Lovatt and O’Connor, 1995:130) as well as being “the only answer to disorder” (O’Dea, 1958:98). The gradual spread of illumination to the rest of the city rendered the night watchmen, who had previously patrolled areas of the cities with a sole lantern to act as guardian for the public spaces of the cities and deter criminals (Schlör, 1998:76), obsolete. The fear and sensory obscurity of the night that previously held back the development of the use of space and restricted the growth of leisure activities, peer bonding and frivolity, became greatly reduced. The illumination of public streets and private spaces meant that “hours once dominated by darkness grew more familiar, with the space men and women shared considerably enlarged” (Ekirch, 2001:383).

With the reclaiming of space from the dark there came a corresponding growth in the opportunity to exploit this newly created demand for leisure. At this time gin consumption dramatically increased in popularity, the consumption of which was encouraged by the state as it was seen as signifying loyalty to the new Protestant monarch, William of Orange. However, this increase was so dramatic that it produced a ‘gin epidemic’, the negative social effects which were famously depicted by

Hogarth's (1751) engravings (see figure 1 below), where the evils of gin are contrasted with the positive impacts of ale consumption:

Figure 1: Beer lane (on left) and gin alley (on right), Hogarth, 1751



Initial attempts to address this issue were either ignored or not properly enforced. However after great efforts to reform these Georgian 'gin houses' into Victorian palaces and pubs (Dillion, 2002), increased taxation, policing, and the success of the anti-spirits campaign, the gin epidemic faded (Musto, 1997).

However, although the gin epidemic receded the market for evening and night-time economy remained. During the Victorian and Edwardian periods, Weightman (1992) argues that London at night was distinguished not by its genius for creating new forms of entertainment or artistic inspiration but rather the sheer size of its audience whose "growing spending power and increased leisure time... gave rise to new forms of commercial showbusiness. For those who got the formula right, huge profits could be

made out of amusing Londoner's (Weightman, quoted in Hadfield 2006:34). Inevitably alcohol consumption was part and parcel of this profitmaking and during this time period consumption rates steadily began to rise again, so much so that in England and Wales the average per capita consumption of beer during the 1870s was 40.5 gallons per annum, compared to the average 27.1 gallons per capita consumption per annum between 1919 and 1995 (Kneale, 2001:43).

However, as the economic and political instability of the first half of the 19th century faded, Victorian politicians, social commentators and philanthropists began to see this return of rising alcohol consumption rates and the associated 'immoral leisure' as being a cause for concern. Kneale (2001) has highlighted that at this time alcohol was considered to be such a problem that "drink was the essence of an immoral popular culture, [and] the temperance movement that addressed the problem exemplified nineteenth century reform" (ibid:43). Many of the same controls and reforms that were instigated by the state to deal with the gin epidemic, such as limiting the number of alcohol selling venues, were reintroduced, much to the chagrin of some such as the Scottish philosopher John Stuart Mill, who in *On Liberty*, 1859, wrote "the limitation in number of beer and spirit-houses, for the express purpose of rendering them more difficult of access, and diminishing the occasions of temptation, not only exposes all to an inconvenience because there are some by whom the facility would be abused, but is suited only to a state of society in which the labouring classes are avowedly treated as children or savages". In any case, alcohol consumption gradually decreased towards the end of the century. At the beginning of the twentieth century rates continued to fall due to a combination of the effects of the First World War and Lloyd

George introducing the first “licensing laws controlling the sale of alcohol” (Bewley, 2008:2), including increasing its price. However, after the Second World War yet again “there was a steady reduction in the real price of alcohol with increasing of consumption and its associated harms” (ibid:12).

2.2 UK NTE circa 1980 – 1995: The loss of ‘civic culture’

Skog (1986) proposed that such repetition of increasing/decreasing alcohol consumption and decreasing/increasing regulation towards it rise and fall in cyclical ‘long waves’ throughout history; when alcohol related problems increase to the extent where they pass a certain threshold then government intervention becomes inevitable; when these issues reduce then licensing laws are relaxed, consumption rises and the process begins again. If this pattern of ‘long-waves’ that Skog describes is correct then the end 1980s can be described as representing the commencing of another wave, the crest of which would form much of the contemporary NTE. There were a number of factors that combined to create this new wave. The first of these was the state and local authorities establishing that the public spaces where NTEs were situated and the consumption patterns were ‘a problem’.

For example, much of the fear of the night had returned to urban space as the economic downturn of urban centres due to decentralisation of retail (Department of the Environment, 1992) meant that there was a spatial (heavily zoned and demarcated areas) and temporal (distinct day/night functions) fragmentation of urban areas (Thomson and Bromley, 2000), creating a ‘5pm flight’ from urban centres. Under

these circumstances a fear of crime and a perception that public spaces at night were 'no go areas' had been created. The night-time economy had also come to be primarily identified with being the preserve of undesirable persons who engaged in undesirable consumption patterns, including: young males who engaged in sessional, high volume alcohol consumption and were dubbed 'lager louts' by the media; youths who were targeted by newly introduced and heavily marketed 'alcopop' drinks which were seen as being controversially aimed at a youth market⁶; and a growing youth subculture, with its origins in the acid house scene in Ibiza, Spain, was decreed to be a further unwelcome development by authorities due to its association with unregulated and unlicensed venues (i.e. warehouses and countryside locations) and illicit drug consumption (Newcombe, 1992).

Aside from the media hyperbole to these stereotypes, the academic literature also highlighted noticeable shifts in the alcohol market and alcohol consumption practices. For example, Hughes et al. (1997) found that new and increasingly strong and palatable drinks were being sought after by all groups as a means of gaining intoxication faster. Similarly while Measham (1996) found correlation between other previous regional and national surveys of alcohol use in the UK, young people's overall alcohol consumption remained stable throughout the 1980s and early 1990s, she also found an increase in heavy sessional drinking (the amount consumed during the course of a single drinking occasion) and the increasing preference to drink to get 'drunk' and

⁶ *Sunday Mirror*, September 8, 1996, 'Shock truth of kids lured into boozing; survey shows that "alcopops" lure children into drinking', *The People*, September 15, 1996, 'Alcopop' fears; Hooch encourages under-age boozing', *Daily Mirror*, September 16, 1996, 'Alcopop firm to start ads blitz; controversial alcoholic lemonade drinks will be advertised on rte'.

a convergence between the way young people combine the consumption of alcohol and other drugs:

Young people appear to be consuming legal and illegal drugs in increasingly similar ways, as part of a consumption-oriented, thrill-seeking (p)leisure lifestyle in which 'time out' is purchased and the boundaries between drug sub-culture and mainstream youth culture become increasingly blurred (ibid:297).

Socio/economic changes were also being acknowledged as having an influence on consumption patterns, particularly the relationship between the socio-economic restructuring and decline of heavy industry and the resulting decline of the 'traditional' working class male orientated drinking establishment (Gofton, 1990).

2.3 Urban regeneration via the 'café culture'?

With the growing body of evidence and media attention, the state had also begun to take notice. Town and city centres were described as losing their sense of 'civic culture', being simply shopping and business centres by day and deserted ghost towns by night that were dominated by 'undesirables' (Comedia, 1991). The strain being placed on public resources caused by the association between peaks of police reported crime and pub closing times and their locations was beginning to be identified (Ramsay, 1989; Tuck, 1989). However, the issues associated with the NTE were not dealt with by increased regulation and licensing restrictions as had been the case in the past. On the contrary, the initial interventions were attempts to manage and remould this currently problematic space based primarily on urban redevelopment and the attracting of more and new types of investment. The economic potential of the

NTE was realised by the government and development was seen as a way of returning 'vitality' to the urban areas which had lost their 'civic culture'. Indeed, the phrase NTE originated in 1995 in a special edition of an urban planning journal (*Planning Practice & Research*, vol. 10:2) in which it outlined the economic potential to rejuvenate urban areas. In this journal Montgomery (1995), Bianchi (1995), and Lovatt and O'Connor (1995), who had been inspired by the 'café culture' evening economy they had witnessed in European cities, outlined their belief in the NTE's potential to create and stimulate 'urban vitality' in the UK's urban centres. Whilst they acknowledged the night contains both the good and the bad, they choose to emphasize the romanticism and its social and cultural potential, using evocative terms to describe how it is a time for "friendship, of love, of conversation" (Bianchi, *ibid*:124) and "(for) transgression, a time for spending, a time for trying to be something that daytime may not let you be, a time for meeting people you shouldn't, for doing things your parents told you not to, that you are too young to understand" (Lovatt and O'Connor, *ibid*:132). They cited the success of the 'Temple Bar' area in Dublin, where urban regeneration had been largely facilitated by the encouraged growth of the NTE (Montgomery, 1995).

Following national government encouragement (Department of the Environment, 1993), many towns and cities across the UK enthusiastically adopted a '24-hour' city concept to encourage greater and more diverse use of their town and city centres. Measures to achieve this included: cultural events, environmental improvements, housing developments, better public lighting and relaxation of entertainment and licensing regulations. However, this encouragement of the private industry as a means of developing urban areas is also rooted in deeper economic and political

structural changes occurring in the UK at the same time. For example, Harvey (1989) has argued that a political-ideological paradigm shift was taking place in local government as western societies moved from industrial to post-industrial economies, a shift he described as being a move from 'managerialism' to 'entrepreneurialism'⁷ i.e. the traditional role of urban governance to provide welfare and services to local areas was been replaced with 'municipal capitalism' focused primarily on attracting investment to facilitate local economic growth. Using the example of the effects of privatisation of the public realm in British cities (the streets, open spaces, public spaces and facilities), Punter (1990) argued that in this urban governmental landscape sea-change, the private sector was growing in influence. Cox (1993) termed this new local politics the 'new urban politics'. However, Hall and Hubbard (1996) argued that the processes being used to describe this political-paradigm shift were too generalised to be accurate at the local, national and international scale. They argued that it was more appropriate to think in terms of 'regime theory', whereby a multitude of groups in positions of power negotiate to achieve various ends which takes into account local specific factors when conceptualising urban politics, including how the "composition, orientation and objectives" (ibid:158) vary between the coalition of power groups that influence local policy⁸. One such outcome of these collaborations between private

⁷ The term 'entrepreneurialism' was deemed appropriate because of the manner in which this 'municipal capital' began to operate was more akin with the economic profit driven behaviour of the private sector, sharing such key features as commercial gambles, inventiveness and promotion of product (Harvey, 1989).

⁸ For example, Peck (1992) has illustrated the differences between the US experience and the UK of this change in government thinking, showing how our experience of private investment into public processes has been less dramatic and should be thought of more as being an 'incorporation' into local politics. At the individual city level the scene is different again. Whilst Peck describes the policies implement by a Tory Thatcherite government, Boyle (1994) describes the actions of a traditionally socialist leaning Labour party that had enjoyed complete domination of local politics in the city of Glasgow for decades. He states that "in contrast to the North American experience, the local state has not been captured by coalitions of private capital and the concept of private-public growth coalitions ...

and public power groups occurring at local areas is the competition between urban areas for modern footloose capital investment from external sources (Zukin, 1991). Taking the industrial city of Glasgow as an example, Paddison (1993) discussed how a large part of this process was reliant on “city marketing” to rebrand old industrial cities into new postindustrial cities, a process which Philo and Kearns (1993) describe as where public and private agencies collaborate to create and sell an image – of which the NTE could feature heavily – to make it more attractive to investment, tourists and local inhabitants, a process they have termed ‘selling places’.

Hadfield (2006) argued that the drinks industry grew rapidly in this fertile environment for private investment. He argues that whilst the new Licensing Act (2003) in England and Wales radically transformed the licensing process, prior to this there had already been alcohol and entertainment licensing deregulation which affected the two main components of night-time based regulation; control of time (when things can be done) and control of space (where things can be done). For example, with regards to the temporal restrictions, he shows how the government and drinks industry argued that the economic regeneration of urban spaces could be linked to crime prevention by extending the time-span of the use of urban spaces which would thereby increase natural surveillance through more people being present on the streets after 5pm, and by lengthening the time-span through staggered closing times to encourage a more relaxed drinking pace and facilitate a more gradual dispersal of crowds. Another particularly contentious issue was that of the removal of the burden on new licence

[have] not made the transatlantic crossing” (ibid:468). The Glasgow case study presented shows how the mediation between capital and labour was largely at a “symbolic level”, and it was the false image of Glasgow.

applicants to prove that there was a 'need' for a new licence before licenses would be granted, a process which served to control "the number of drinking establishments by methods other than pure market forces. Justices and the Judges of Assize who supervised the system were given the authority to suppress alehouses which were in their view unnecessary" (Mehigan et al. 2003:261:2.2, quoted in Hadfield, 2006: 53). Regarding this, Hadfield charts the course of the attempts to move instead towards *laissez-faire* (government/trade) style of economic forces and planning laws being a natural restriction to licensed premise numbers. A key part of this process was the increased burden on objectors (e.g. policing and health practitioners, local authority officials, and residents) to produce evidence that directly linked crime and disorder to nearby licensed premises. While objections were frequently raised, Hadfield argues that the drinks industry, often backed by the government, was extremely powerful and hard to resist:

It seems little wonder that rapid expansion of the high street has taken place. Leisure companies... are well resourced and well connected – professionally, legally and politically. They have detailed market knowledge and a strategic vision which provides a clear idea of what they want and the various ways and means of getting it. Once they have what they want, they then seek vigorously to protect it. [this] contrasts sharply with my visits to police licensing offices, typically home to one beleaguered Licensing Sergeant struggling with limited resources against a mountain of paperwork. Police licensing officers often have little organisation power or support, their work focussing on every-night local problems that are largely divorced from broader, regional or national picture (ibid:64).

Hadfield also demonstrates how the licensed trade employed a series of other measures to ensure the success of the business, including 'creeping licenses' (to offset potential objections, licenses were applied for under conservative, 'family-friendly'

guises; once a license was granted a venue would seek to rescind restricting conditions [e.g. DJ's, dance floor] and then rebranded the venue), 'protectionism' (licensed venues mount legal objections against other proposed licensed venues in order to safeguard their share of the local market), 'playing the system' (licensed operators taking advantage of legal loopholes i.e. citing archaic laws and using complexity of the various planning and regulatory processes to their advantage) and 'corporate social responsibility' (licensed operators offering a range of proposals to assist crime reduction e.g. providing financial backing to situational crime prevention hardware, or security personnel). This process, Hadfield states may as well be expressed as "we will pollute your environment, but don't worry because we'll help you clean up afterwards" (ibid:76)). With the drinks industry in the ascendency and with such a seeming advantage over the police – the principal potential objectors to the progression of the licensed trade – licensed venues proliferated at an exponential rate, both in terms of the overall number, the number with late licenses, and capacity.

Collective works by Hobbs et al (Hobbs, et al., 2000; Hobbs, et al. 2003; Hobbs, et al., 2005) also argue that central to the NTE in this new economic era is the promotion of 'liminality' i.e. previous historically repressive and sublimating codes of restraint that previously dominated the leisure sector had been replaced with codes and practices in imagery that suggest "attractions of hedonistic free fall, unhampered by behavioural checkpoints [where] intoxication is the norm, and that unruly and violent behaviour is a central feature " (Hobbs, et al., 2000:705):

The artificially created world of hedonism and abandon that is believed by so many young people to be available for purchase in the night-time economy thrives on the palpable reduction of daylight forms of social control (Hobbs et al., 2005).

They argued that the underfunding in front-line resources had left the state overly stretched as they attempt to cover the resulting public disorder issues, with the effect that commercial interests developing their own set of policing practices. On the one hand, NTE venues masquerade as offering 'hedonistic free fall', whilst on the other they have distinct boundaries of control that are "maintained by commercial imperatives every bit as pragmatic as those employed during the traditional working day" (ibid:714). These pragmatic boundaries are as a result of commercial operators within the NTE maintaining public order to ensure their property rights, licensing trading rights and their reputation:

Maintaining order by containing alcohol-fuelled expressions of liminality within the boundaries of safety, and thus maintaining a reputation that will attract customers and avoid investigation by the licensing authorities, requires a combination of internal self-control exercised by customers and external control exercised by regulatory agents (Hall and Winlow, 2005:381).

Hobbs et al., (2005) have termed these tensions as a 'violent hypocrisy' and argue that it was a defining feature in the growth of the contemporary NTE.

2.4 The emergence of the contemporary NTE

Reviews of the NTE growth were initially positive. One such review of the '24 hour' city strategies being developed across the UK found that local councils in Manchester, Leeds and Nottingham had been particularly active in introducing such measures

(Heath, 1995). Leeds was perhaps the first council to fully integrate the licensed trade into their urban regeneration plans and focused on promoting the town as a venue for a variety of late-night clubbing venues to appeal to all⁹. In a move to draw attention to the new inclusiveness of the NTE project in Leeds a public relations campaign was figure-headed by a 63 year old councillor and Chair of the Licensing Committee Lorna Cohen, dubbed the 'raving granny councillor': "Some people say the 24-hour city isn't working. But they don't understand the concept, that it is about trying to encourage all kinds of activity at times you don't normally expect" (Lorna Cohen, quoted in the *Observer* 31/03/96).

However, driven by market forces the NTE began to evolve in unforeseen ways. One of the most identifiable aspects of this evolution has been the branding of venues. Chatterton and Hollands (2001, 2003) termed this process the 'McDonaldisation' of the night, where ownership of these venues has become increasingly concentrated in the hands of a relatively small, yet powerful, group of operators. As a result locally specific features and diversity of premises and activities are being eroded and replaced by branded and themed bars. For example, they show that in 2002 it was estimated that in large provincial centres in the UK independent licensed operators owned between 5% to 30% of the pub market, whereas international/national operators controlled two-thirds. Corporate domination in the nightclub market is also apparent with one company, 'Luminar', alone owning 15% of the total market. The concern is that this pattern of ownership, where the power to define and shape the NTE rests in the hands of these regional, national and international companies, may mean that "the

⁹ Tredre, R. 'Night and day: going for the 24-hour city: Leeds' *The Observer*, 31/03/96

role of venue managers acting locally is likely to be constrained by corporate policies devised in head offices" (Roberts, 2004). Hobbs, et al (2000) have noted the changing nature of licenced venues, such as the steady decline of the traditional 'working man's' drinking establishment and rise of the 'superpub' that can be "up to twenty times the size" (Hobbs, et al. 2000:708). 'Chameleon pubs', that operate as pubs during the day and then modify their environment to become a nightclub during the night, have been described as a "response of leisure operators seeking to exploit a niche in the market by offering a cheaper, late night drinking facility than previously found within the conventional nightclub scene" (ibid:709). Collectively these changes have led Hadfield (2006) to define the NTE as; "the central areas of our towns and cities in which licensed premises are most densely concentrated [where] the form of nightlife available to consumers in such areas is thoroughly populist, as constituted by mainstream options relating to music, dress, social comportment and cultural norms; it is a leisure experience fuelled by recreational drugs, principally alcohol" (ibid:2), a definition that was a far cry from the originally envisaged café culture of inclusiveness and diversity of events, styles and persons.

Promotion of alcohol consumption, the principal drug fuelling the NTE, at the expense of other substances has also been a central tenet of the contemporary NTE. At the turn of the 1980s, drug use had gone from being the sole and expensive reserve of cocaine using young professionals, often referred to as 'yuppies' (Rosenbaum, 1989), to the affordable, widely available multitude of drugs that were associated with the increasingly popular 'dance' and 'acid' cultures (Forsyth, 1996; Lyttle and Montague, 1992). As this drug scene was characterized by practices that were not favourable to

the drinks industry (i.e. low alcohol consumption at locations that were out of town and often rural) Measham and Brain (2005) argue that the drinks industry also united to quash the competition from illicit substance use by lobbying the government to clamp down on such activity¹⁰. Forsyth (2009) has highlighted how that the drinks industry has now changed tack and adopted much of what was appealing about the drug trade through the promotion of certain illicit drug related imagery via marketing and the introduction of new types of alcoholic drinks such as 'shooters' and caffeinated 'energy drinks' to mimic the effects of those illicit drugs. Measham has suggested that whilst drug taking has plateaued, the corresponding increase in alcohol consumption indicates that the drinks industry has successfully curtailed the growth of the drug market and pleasure seeking has involved the swapping of one intoxicating substance for another based on social trends (i.e. cultural, personal choice, peer influence), as well as structural factors (i.e. regulation, enforcement, availability, price).

With the competition from drugs curtailed, the drinks industry turned its attention to expanding its consumer group base. With lifestyle changes by young women (higher levels of disposable income compared to previous generations and choices to delay pregnancy, marriage, and mortgage commitments), as well as the apparent reduction in the taboo of female public drunkenness (Measham, 2008), the drinks industry sought to attract this key demographic that had previously been missing from the male-dominated 'spit and saw dust' bars to venues with a wider appeal to the female market by providing 'chrome and cocktail' bars. Initial academic studies into this

¹⁰ The Criminal and Justice and Public Order Act 1994, which increased police powers to come down on promoters and free outdoor party organisers, was the most significant resulting legislation to curtail and restrict the practices of the drug based 'rave' culture.

burgeoning market were framed in terms of female likelihood of becoming a victim of alcohol related violence (for example see Testa and Parks 1996, Parks 2000), but Day et al. (2003) discuss how female presence in the NTE came to have just as significant socio-cultural meanings as their male counterparts, including the alcohol-related violence more commonly associated with males. By breaking from culturally ascribed sexualized female role of being mostly in the private realm of the home and adopting what is normally associated with 'male behaviour' (e.g. being loud, acting in a 'ladish' manner, consuming copious amounts of alcohol) led them to be dubbed 'ladettes' by the media¹¹. However, with a few notable exceptions aside the relationships between women's drinking habits, the broader socio-economic and cultural changes in their lives have yet to be fully explored (Measham, 2002).

During all these changes there was a growing body of evidence to indicate that there a number of serious issues related to the NTE. Studies documenting these issues are numerous: Lister et al.'s (2000) findings showed that 29% of recorded violence incidents in pseudo-named town of 'Eastville' occurred inside licensed premises (see also Block and Block, 1995 and Briscoe and Donnelly, 2001 for non-UK examples); a study of young males attending A&E with assault-related injuries on weekend nights (11pm to 4am) in Cardiff found that 15% had occurred within one pedestrianised city-centre street and 29% within licensed venues (Shepherd and Brickely, 1996); the 2001/02 British Crime Survey (BCS) found that 44% of violence incidents occurred at

¹¹ *The Mirror*, July 9, 1998, Ladettes..or sadettes?; beer-swilling nineties girls beat blokes behaving badly; profile of a "ladette", Copyright 1998 MGN Ltd; *The Times*, July 10, 1999, 'Lager ladettes', Copyright 1999 Times Newspapers Limited

the weekend (6pm Friday to 6am Monday); 21% of all violent incidents occurred in or around a pub or club and 38% of violence between strangers occurred in that location (Allen et al., 2003); over one quarter of police-attended incidents in Newcastle city centre occurred within a 250 square metre radius that contained 12 pubs. In 2001 a Home Office report (Finney) concluded that the resulting effects of such spatially and temporarily concentrated crime and disorder “presents a significant public health, criminal justice and urban management problem” (ibid:1) i.e. the cumulative impact on public emergency services dealing with these issues was significant. Exacerbating these issues was the largely unpreparedness of these services for such a dramatic increase in the NTE. When engaging with the police during their NTE research, Winlow and Hall (2006) made the following observations about the challenges facing the police:

With so few officers actually on duty to deal with public disorder in the night-time economy, the expectation that the police can somehow regulate the effects of the relentless pursuit of the economic interests that are now shared by the market-bound state and the business-community seems to be quite misguided. Consistent throughout our interviews with police officers working on the front line was the perception that they simply do not have the resources to make a significant impact on the crime and disorder that occurs in the night-time economy. The police have been effectively hamstrung by the inability of the state to challenge the dominance that the neo-liberal market economy exerts over the specific times, spaces and leisure pursuits in which youth cultures constitute and reproduce themselves (ibid:178).

As national and local councils were expecting a ‘café culture’ NTE, as opposed to what was actually created, there was no additional funding provided for public services to deal with these issues a fact noted by Hobbs, et al. (2002), who argued that the state

initially failed to “respond to the NTE with anything approaching adequate planning, regulation and, most importantly, policing” (ibid:366).

The relationships between disorder and the actions of those operating in the private spaces of the NTE venues (e.g. server practice, environmental conditions and physical layout of private venues) in the private spaces of the NTE venues, has been well-documented (Forsyth, et al., 2005; Forsyth, 2009; Graham, et al., 2000; Graham, et al., 2005; Graham and Homel, 2008; Hughes, et al., 2011; Lang, et al. 1998). However, although the relationship between private spaces of licensed venues and the incidents of crime and disorder occurring in public space is an important one, it is not necessarily a straightforward one. For example, Graham and Homel (2008) noted that bad staff practices can lead to disorder and violence in the public streets if they allow problems to initiate and then develop inside establishments, whilst Forsyth and colleagues (2005) observed that whilst certain venues that are effective at preventing trouble within their venues if they eject troublemakers or prevent them from entering in the first instance, they may actually contribute to increased levels of disorder in the environment outside their venue.

Recently there have been significant changes afoot in further complicating the private/public consumption patterns, potentially creating more challenges for public services. The most substantial ongoing change to the NTE is the steady increase in the off-sales market at the expense of the on-sales market. For the total volume of pure alcohol sold in Scotland in 2005, 39% was on-sales whereas by 2009 this had fallen to 32%, whereas there was a corresponding rise in the total volume of pure alcohol sold

in off-sales, from 30,659,000 litres of pure alcohol in 2005 to 34,442,000 litres of pure alcohol in 2009, a rise of 12% (Alcohol Statistics Scotland 2011). The reasons for this are complex and interrelated. For example, Wells et al (2009) have shown that cheaper off-sales price is only one factor explaining the increase in off-sales, and high on-sale prices also contribute to the decisions to front-load, implying that measures such as the removal of 'happy hours' in licensed premises may increase the numbers of those who 'front-loading' (consuming alcohol sourced from off-sales prior to entering on-sale venues). Forsyth (2010) has described how a range of psycho-social factors (i.e. pre-dance socialising, loss of inhibition etc.) were just as important to some NTE patrons as price differentials, citing the large amounts of money patrons spend on an average night-out. He continues to observe that the tendency to front-load can be attributed to the structure of the NTE with people preferring to drink at home to save money but also because the home environment is more conducive to conversation than "loud disorientating dance venues" (ibid:39), which would later be frequented when the aim was to dance when inhibitions would be loosened. Forsyth sees this as representing a combination of psycho-socio factors that contribute to "a culture of off-premises drinking" (ibid:39), ultimately arguing that "the off-trade, pub and nightclub sectors are not distinct entities and that 'joined up' policy involving all sectors is required (e.g. by reducing price differentials)" (ibid:13). As Measham and Brain (2005) have stated; "[alcohol] consumption is a privatised, individual act [but] has enormous public consequences" (ibid:17) particularly in relation to the public services, such as the police and medical services.

Broadening the realm of the NTE even further from the Hadfield's (2006) original definition, a collective body of work by Holloway, Jayne, and Valentine, culminating in their book *Alcohol, Drinking and Drunkenness: (Dis)orderly Spaces* (2009), has sought to expand the geographical understanding of drinking practices by challenging the notion of the "contemporary geographical imaginary of drinking as a city centre issue" (Holloway, 2008:533) and focus instead on the home which is "the most common venue for drinking" (ibid:537). As well as this, they show that by looking beyond the simplistic dominant discourse of alcohol as city centre problem – though they stress how important it is not to belittle the fact that it can be, and often is, problematic – that a greater understanding of the issues surrounding alcohol can be understood. For them, developing "such a synthesis is not only important in terms of an academic research agenda, but also fundamental to guiding urban policy making and planning" (Jayne 2006:461).

The research mentioned above forms only part of a the yet burgeoning research agenda on the NTE, yet even this relative small selection serves to highlight the number and diversity of issues that need to be considered when examining the NTE. Before I turn to the conceptual framework of this thesis that underpins the exploration of policing this environment I want to discuss the literature that has focused on the development of the NTE in the Scottish context.

2.5 The NTE in the Scottish context

The majority of the literature discussed so far in this chapter has focused on the UK as a whole, yet despite the extensive similarities between the historical development of the contemporary NTE in Scotland and in England and Wales (due primarily to the Labour Party governing both at the time of the conception and legislative reform of licensing laws in 2003 and 2005 Acts in England and Wales and Scotland, respectively), it remains true that Scotland “has a distinctive and culturally specific relationship with alcohol, although there is no definitive account of why this should be the case” (Elvins, 2009:52). This relationship is borne out by the facts: in England and Wales, it was estimated that 9.6 litres of pure alcohol were sold per person over the age of 16, whereas in Scotland this was 2.4 litres higher (11.9 litres). While beer, cider and wine consumption rates were comparable between the nations, in Scotland the volume of spirits per person over the age of 16 sold in Scotland was double those sold in England and Wales (3.5 litres per capita compared to 1.8 litres per capita) (Alcohol Statistics Scotland 2011).

This different relationship with alcohol is reflected in the divergence in Scotland’s national alcohol policy from the rest of the UK. While both Acts (Licensing Act 2002, Licensing (Scotland) Act 2005) share the four ‘licensing objectives’ – the prevention of crime or disorder; the promotion of public safety; the prevention of public nuisance; the protection of children from harm – the Scottish Act contains a fifth licensing objective of protecting and improving public health. In a review of the cultural and regulatory context of Scotland, Elvins states that the inclusion of this public health directed fifth licensing objective “suggests, nominally at least, that the Scottish

legislature has embraced a more holistic view of how different aspects of the potentially negative consequences of alcohol are interrelated” (2009:53). The inclusion of this additional licensing objective began with the appointment of the Nicholson Committee on the 28th of June 2001 when Mr. Jim Wallace, the then Justice Minister in the Scottish Executive, laid out the following terms of reference: “to review all aspects of liquor licensing law and practice in Scotland, with particular reference to the implications for health and public order; to recommend changes in the public interest; and to report accordingly” (Scottish Executive, 2003:1). The following report highlighted what they saw as being emerging and intersected health and public order concerns singling out four key background facts that informed their recommendations: firstly, the emergence of the ‘super-pub’ with significantly increased venue capacity; second, the increase in the number of off-sale licenses; third, the dramatic increase in entertainment licenses granted since the 1976 Act; and, fourth, the late-night extensions to these licenses beyond the original ‘normal’ closing hours of 11pm. The significance of the Nicholson Committee findings lies in the fact that they “both advocated and validated a broader role for licensing legislation in addressing problems associated with alcohol in the Scottish context, emphasizing the significance of the NTE in the process” (Elvins, 2009:54).

The research basis on the issues in Scotland such as those highlighted by the Nicholson Committee, is limited. The vast majority of evidence based research that does exist has been conducted by Forsyth (various) and is based in Scotland’s largest city, Glasgow, which has a population of 1.1 million (followed by Scotland’s capital city Edinburgh with 454,000, Aberdeen with 183,000, and Dundee 142,000). In 2003 there

were 295 pubs and nightclubs in a half-mile square area in Glasgow city centre attracting an estimated 77,000 people on the busiest nights (Forsyth et al. 2005:4). In his companion studies, (Forsyth et al., 2005; Forsyth, 2006), Forsyth examines Glasgow's city centre pubs and nightclubs respectively to measure disorder risks arising from licensed premises. One of the major findings from these observational based studies was the frequency and severity of inter-personal aggressive incidents recorded as being much greater when compared to previous studies, suggesting that the "dark figure" (Hobbs, 2002) of unreported crime is a significant issue. Recent studies by Forsyth have added to the NTE literature beyond that of the Scottish specific context, with findings including that female specific conflicts in licensed premises are more serious than has previously been the accepted case (Forsyth and Lennox, 2009), the role of music influences nightclubs clientele and their behaviours (Forsyth, 2009) and developing an understanding of the links between off-sales purchased alcohol consumption and the structure of the NTE (Forsyth, 2010). Forsyth's studies also encapsulate the diversity of NTE-related crime reduction initiatives that have been implemented since the mid-2000s in Glasgow, including the well-received taxi stewarding scheme (2006) and the banning of glassware from nightclubs (Forsyth, 2008).

Other studies have also been done to evaluate the quality and existence of NTE-related crime reduction initiatives in Scotland even as far back as 2003 when an audit review of the alcohol-harm reduction strategies and initiatives found that there was "considerable work currently being undertaken... in Scotland" (Scottish Executive, 2003a). In part of their wide-ranging comparative study across three locations in the

UK Mistral et al. (2007) examined the initiative known as 'Nite Zone' that was implemented by Glasgow City Council for a 12 week period starting on the 2nd of December 2005 which incorporated cooperation with the local police force (Strathclyde) and the largest local bus operator (First Group). The initiative included environmental upgrading (public street lights, bus shelters), increased security infrastructure (CCTV, public 'Help Points'), increased transport provision and police presence, and the dissemination of public information regarding the scheme and improvements being made, all of which combined to reduce crime rates and the fear of crime. In 2003 the Scottish Executive funded two schemes called the Safer City Centres Initiative and later the Safer Town Centres that ran from 2003 to 2006 and 2005 to 2008 respectively and were both designed to address a range of city centre crime issues through improved coordination, development of existing services and initiatives and the development of new initiatives (Scottish Government, 2007). The initial proposals from the cities (Aberdeen, Dundee, Edinburgh, Glasgow, Inverness, Perth and Stirling) and towns (Dunfermline, East Kilbride, Falkirk, Fraserburgh, Glenrothes, Invergordon, Kirkcaldy, Musselburgh, Paisley, Peterhead and Tranent) involved were focussed on day-time retail-related crime, however it was noted that there was a "tangible shift in the[ir] priorities... [and] by the end of the Scottish Executive funding period, the majority of new initiatives (as well as further development of existing schemes such as Radiolink) were directed towards the evening and night time economy" (ibid:72).

2.6 Summary

There is a burgeoning literature on the subject of the NTE whose contributors are numerous and diverse, however it is apparent upon review that there are several issues and under-researched areas. For example, the measuring of the success of interventions designed to reduce disorder and violence in the NTE also have the same caveats inherent in all such research, including how such issues are recorded, under-reporting, displacement. NTE crime and disorder rates are subject to changes to “demographic trends, economic recession, policing priorities, societal tolerance, and alcohol policy” (Forsyth, 2011). Interventions designed to tackle these issues tend to take place when it is perceived that crime is peaking, and the resulting natural return to the mean can affect the measuring the relative success of interventions (Graham, 2011).

What the literature does tell us is that many of the NTE related issues are timeless (e.g. high rates of alcohol consumption, profit-making, constantly shifting state regulation). As Forsyth (2012) states: “violent disorder will always be associated with alcohol outlets, and the question remains – how best to limit these problems in terms of their frequency and severity?” (ibid:3). The literature also shows how contemporary NTE developed in such a way that it has created significant challenges to the public services tasked with maintaining public safety and order. Furthermore, with regards to crime reduction and the promotion of public safety, there is no one agreed upon ‘magic bullet’ or ‘one-size-fits-all’ policy as to how best to achieve these ends. Indeed, a growing amount of NTE research is demonstrating that these issues are interconnected and operate across scales.

However, what the literature does not provide is an extensive and first-hand account of the role and experiences of the primary actors in the NTE; the police. The existing literature helped to create and frame the research questions laid out in chapter one, all of which are based around an understanding of the role of the police in the NTE context established by the literature, but it was this lacuna that provided the impetus for this research in the first instance. The amount and diversity of the literature also points to a rapidly evolving public discourse and changing political realm, particularly regarding alcohol, making this an extremely relevant time and place to conduct research regarding these issues. The following chapter discusses the conceptual framework I created to structure my research to answer my research questions.

Chapter Three: Understanding policing in late modern societies - police, space, territoriality and the ‘culture of control’

In the past three decades the police and what constitutes ‘policing’ of modern societies have undergone radical changes in terms of aims, organization and service provision. From the perspective of their specific backgrounds, a number of academics have attempted to conceptualize the processes driving these changes and their resulting effects. In this chapter I chart the progression of some of the more established conceptualizations that have been posited on the subject of policing modern societies and map out how these conceptualizations have been combined to create the analytical framework of my thesis.

I begin this review process by focusing on the discipline of geography and chart its progression from when Fyfe (1991) made the assertion that despite its long history of conducting research on the police and the spatiality of criminality, geography needed to broaden its focus to issues of policing that included an appreciation of context. The remainder of this section discusses how subsequent research by geographers on issues of policing demonstrates the insight that geographical perspective and an appreciation of context can have on the subject of policing studies. Particular focus is given to Steve Herbert’s (1997) in-depth spatial analysis of the territoriality of the Los Angeles police department, an analysis that he asserts personifies many of the merits that a

geographical conceptual framework can provide. In section 3.2 I broaden the discussion to include works from other academic disciplines and show how the debate in geography also reflects the wider interest in policing late modern societies. The primary focus of this section is on the work of David Garland who in his collective works, culminating in his widely influential ‘culture of control’ thesis (2001), arguably provided the most systematic review of these processes and changes to policing, including what he termed ‘sovereign state’ and ‘adaptive/responsibilization’ strategies of crime control. Section 3.3 looks at how other disciplines have been influenced by Garland’s work and how some have developed his ideas even further for a more nuanced understanding of the processes of pluralized policing. The final section draws together the strands of the chapter and focuses them on one particular thematic area i.e. the NTE. As I have demonstrated, the NTE context is a particularly pertinent example to explore and follow through these conceptualizations of policing modern societies.

3.1 The police, context and territoriality

With regards to crime, geographers have a long history of interest, focusing on the interplay between crime, space and society, exemplified by works such as that of the mid-nineteenth century European ‘cartographic criminologists’ (Fyfe, 2000), the Chicago School’s meticulous offender resident mapping projects (Martin Bulmer, 1984), the utilization of police recorded data and crime survey data to map the variations in the spatiality of offences (Fyfe, 1997) and the use of Geographical

Information Systems allowing for advances in crime pattern analysis i.e. identifying 'hot-spots' of crime at a street level (Ashby and Craglia, 2007).

However, whilst such work has obvious merit, two key advancements in geography have facilitated the progression of geography beyond its spatial mapping of deviance of offences and offenders and moved to include the victims and their experience and fear of crime. First among these was the use of crime surveys by pioneers such as Smith (1987), and the feminist geographers Valentine (1992), and Pain (2000) who noted, amongst other things, women's 'spatial paradox' (i.e. avoiding dark streets when alone at night for fear of being attacked, despite the fact that women are more likely to be attacked by someone they know in private spaces of the home). The other key advance was the growing interest in the nature and effects of 'law and order' policy and crime control in urban areas. Prominent geographers were beginning to (indirectly) pay attention to these issues in their wider research on the effects of crime control policies that were neo-liberal in their makeup, and how these policies were infringing on the rights to public space and negatively impinging upon 'deviant' populations (i.e. the homeless, youths, the poor) (Harvey, 1989; Mitchell, 1995, 1997; Davis, 1990; Smith, 1996).

Yet, it was Fyfe (1991) who first provided both a critical assessment and guidance on how to move forward to become a more relevant subject with regards to studying policing modern societies. His work engaged directly with issues of police work and demonstrated that the police use space, organized into 'divisions' and 'beats', as a means of exerting control and establishing their authority over people and places.

The key aspect of Fyfe's argument, however, was that the action of police work cannot be seen in isolation from its environment – social, cultural, historical, temporal, spatial – as had previously been done on these issues by all disciplines, not just geographers. Police work and policing, therefore, must be seen in its context of where it literally takes place. He continues; "given that policing is an inherently territorial activity which both affects and is affected by the social and political environment...it is a subject which is particularly suited to study from a geographical perspective" (ibid: 265). Building on his earlier argument, in a later review, Fyfe (1995a) continued his critical assessment of the academic literature on police for ignoring the contextuality, and thus geography, of police work and instead choosing to focusing on technical evaluations. This, according to Fyfe, limits the insight that an awareness of geography can potentially make:

The challenge for future police research is not, therefore, to provide ever more rigorous assessments of innovations in policing policy and practice, important though this is. Police research can, and should, also inform wider debates in social and political theory... [as] policing is central to some of the most important, and disturbing, changes occurring in contemporary urban society (ibid: 773).

Fyfe's argument, then, is that the field of policing research in general can benefit from adopting a more contextually aware and geographical perspective, which in turn provides insight into much wider social and political theories.

Since Fyfe's review there has been a growing interest by geographers in the issue of fear of crime (Pain, 2000; Bannister and Fyfe, 2001); the use of cartographic

information systems to profile ‘hotspots’ of crime (Monmonier, 2006; Ashby and Craglia, 2007); the balancing of operational efficiency of the police and their democratic accountability to local populations (Yarwood and Edwards, 1995), and potential contributions that local scale relations can have to the spatial and social understanding of community policing (Skogan and Hartnett, 1997). Fyfe (1995b) also contributed to this body of research and demonstrated how police research with a geographic perspective can inform the wider debates by linking the rise of the New Right ideology in the then Conservative UK government and its central neo-liberal tenets and neo-conservative policies, and its resulting crime control policies (e.g. creation of the Public Order Act 1986, Citizens Charter, and expansion of Neighbourhood Watch schemes).

3.1.1 Herbert and the territoriality of the L.A.P.D

One geographer who developed Fyfe’s contextually appreciative geographical analysis of policing actions is Steve Herbert (1997). In his research on the Los Angeles Police Department, Herbert argues that police’s ability to control space, to mark and make boundaries within and around space, is their most significant attribute to order maintenance. The basic grounding of his conceptualization lies in the combining and developing of both Weberian (i.e. the modern state as a bureaucratic administration that seeks to extensively control the people and their activities within its territory) and Foucauldian (i.e. power is diffused into finer and wider realms played out across various scales) network theories of power and control of space. However, whilst accepting that they provide important insights into power and its investment in the

practice of territorial control he states that they are insufficient to comprehensively explain those no less important, but “less-formalized impulses that structure police territoriality” (ibid:18). ‘Territoriality’ is defined as being, “a spatial strategy to affect, influence, or control resources and people, by controlling area” (Sack, 1986:4). He goes on to argue that there are also six ‘normative orders’ that influence how police officers enact territoriality; law, bureaucratic control (objective orders), adventure/machismo, safety, competence, and morality (subjective orders):

It may seem misguided, at first glance, to treat these six orders as functionally equivalent. The law, for instance, is constructed and debated in explicit and formalized ways and thus differs fundamentally from the less formal ethos of machismo.... [however] each order works in a similar fashion to structure the behaviour of police officers who regularly seek to create order through controlling space... Each order structures and provides meaning for the actions officers undertake. Each order, then, contributes crucially to the ways that police officers conceptualize the areas they patrol and how they mobilize to control those areas, how they *make* and *mark* space (ibid:5).

Herbert argues that the concept of the ‘normative order’ is a more useful theoretical standpoint for examining police power as it blends the social-structural, the cultural and the spatial elements that are often separated by other theoretical standpoints. Using extensive examples he demonstrates how these normative orders that influence how police officers enact territoriality unpredictably influence different officers depending on rank, time, place and scenario. For example, when describing the attempted apprehension of a fleeing suspect, Herbert demonstrates how the ensuing police conduct was shaped by all six normative orders; the law defined the police crime control responsibilities and how and where they could search; bureaucratic

regulations defined who assumed what responsibilities; presence of a police helicopter and dogs was explained by the need for safety; competence demanded a successful capture; a sense of moral right accompanied the need to bring the offender to justice; ensuing post-chase discussions were themed around a sense of adventureness/machismo. However, as these objective orders represent structure and subjective orders represent human agency, Herbert also stresses how these normative orders frequently conflict with each other:

Different normative orders structure our world and they do not always cohere. As a result, political tension is an endemic fact of social life...this tension between normative orders introduces another realm in which human agency and reflexivity become important; when orders conflict, actors must decide which receives priority. This further complicates the reproduction of any normative order (Herbert, 1997:20).

Herbert argues that these normative orders are a means of understanding the conflict between the two in the police world, particularly where such normative orders are so pronounced (e.g. the bureaucratic control inherent in the hierarchical organization of the police conflicting with the machismo/adventure of the front-line duties). In this analysis there is considerable room for human agency, where an officer must decide which path they choose to navigate these conflicting orders and decide which one to prioritize. To illustrate this point Herbert again uses the example of a fleeing suspect but focusses instead on the conflict of normative orders presented when a superior officer commands another officer to break off from the chase:

In this case, the officer must choose between conflicting structures of action, between contrasting constellations of rules and values. Either choice presents the potential rewards

and disincentives of different normative orders: should the officer risk bureaucratic censure in hopes of winning respect for his [sic] bravery, or should he [sic] safeguard his[sic] career advancement and risk seeming weak? (ibid:165).

Herbert argues that these normative orders vary between officer but also subcultures within the police, which helps to explain, for example, the persistent conflict between management and front-line officers. Ultimately, it is Herbert's contention that these normative orders of police work provide a framework from which to conceptualize and understand police actions.

However, one drawback of his work is that it is based on an in-depth ethnographic research of a single site case study (Los Angeles) and he offers no comparative element to his research in the form of another location. Herbert is aware of this, and whilst he states he favours an intense analysis over extensive comparison, the resulting tradeoff is that "the representativeness of the following analysis is thus something of an unavoidably open question" (ibid:7). This leaves Herbert's framework largely untested and untried in contexts other than the territoriality of policing of the L.A.P.D. With my research being based on a three case study site comparison, I have attempted to go some way towards addressing this opened question and to assess the suitability of the conceptual framework that Herbert proposes.

3.1.2 Geography and contemporary issues in policing

In a more recent review of the geographic literature on policing equivalent to Fyfe's one in 1991, Yarwood (2008) argues that whilst there has been considerable gains

made in the field of geography police research, there is still a lack of any coherent research agenda, which would enable geography to become more relevant and contribute more to debates over policing. He argues that, firstly, geography needs to broaden its scope beyond issues regarding 'police' to issues of 'policing' and include the multitude of other agencies now involved in this process, and secondly, that "more critical scrutiny is needed of the term policing [as it] is more than simply preventing crime and implementing the law [and now] refers to the enforcement of codes, standards and ideals held by society" (ibid: 448). Furthermore, he argues that it is incumbent upon geography to pay attention to the subtleties of the new emergent discourses and the potential they have to infringe upon the civil rights to public space through tactics of spatial exclusion.

Borrowing directly from Garland (see section 3.2 below for discussion on Garland's work), and the criminological writings inspired by him, Yarwood proposes a conceptual framework of 'governance' as the most pertinent to address the shortcomings he outlines in geography whilst also adding an awareness of the relationship between *de facto* actions in locally specific contexts and wider state policy. This gives recognition to the variable and place specific relationships between different governmental and non-governmental organizations and recognizes that policy and decision making arises from interaction between public, private and voluntary organizations:

Drawing on the work of criminologists, it may be concluded that this work does allow connections to be made between changes in neoliberal regimes and new methods and forms of policing. However... the impacts of these changes are spatially uneven and it is simplistic to assume a straight link between neoliberalism and local governance. Policing is a site of

regulation that can vary between people and places. New forms of multi-agency policing may well be emerging in some places, yet it is apparent that the state maintains close control in many others. Geographers should develop research into policing to contribute a spatial dimension to this analysis and identify how, why and with what consequences policing varies over space (ibid: 461).

Similar to Yarwood, Herbert and Brown (2006) highlight the importance of including spatial contexts to any criminological attempts to explain criminal behaviour, but go further and argue that “how geography matters is rather more complicated” (ibid: 765). By examining the examples of ‘broken windows’ and ‘situational crime prevention’ theories, which they see as being attempts to explain the geography of crime, they dismantle the simplistic geographical assumptions inherent within and argue that “conceptions of space both underlie attempts to regulate space *and* possess important affinities with critical aspects of the neoliberal project... in short, these popular criminologies both reflect and reinforce wider social trends that underwrite the exclusionary project of hyperpunitiveness” (ibid: 757):

Like mass incarceration and prison expansion, broken windows and situational crime prevention appeal to a simplistic rendering of criminality as divided between the law-abiding and the law-breaking. This in turn leads to crime policy that seeks to maximize social safety through policies of deterrence and incapacitation. Sadly, what is missed is how these divisions reinforce other important social processes that perpetuate and deepen inequality. Instead, spaces are reduced to their propensities for criminal activity, and some spaces are produced as always already criminal. Mass incarceration and hyperpunitiveness are justified by neoliberal rationalities of state–society relationships, and the dynamics of urban capitalism, racial segregation, and the social production of fear are elided in favor of a racial and class-based status quo (ibid: 773).

3.1.3 ZTP and CCTV: contemporary crime control measures in the neo-liberal city

An example of the insights that can be provided by taking such a geographical perspective and combining it with Garland's conceptual framework is provided by Fyfe (2010) in his assessment of the two neo-liberal public space policing tactics of 'zero tolerance policing' (ZTP) and CCTV surveillance, the former of which exemplifies sovereign state strategies and the latter adaptive and responsabilization strategies. Both represent crime control and community safety measures of neo-liberal urbanisms and attempts to revive the economic fortunes of city centres. Introduced in New York City circa 1994, ZTP targeted 'quality of life' offences (i.e. drunkenness, begging, 'squeegee men', graffiti) and was inspired by a short article published in *Atlantic Monthly* in 1982 by the conservative theorists James Q. Wilson and George L. Kelling. ZTP has proven to be extremely popular amongst policy makers but its use has been controversial, drawing criticism for its overly simplistic readings of complex situations and its overly punitive reactions to certain social groups (see for example Hardcourt and Ludwig 2005; MacCallair, 2002; Merrifield, 2000; Smith, 1999).

The introduction of CCTV was much lauded when it was initially and enthusiastically rolled out across the UK, and was sold on the premise its ability to dramatically reduce crime rates and reassure town and city centre users (Home Office, 2004). However, CCTV, like ZTP, has also drawn criticisms, including being overly expensive (Groombridge, 2008), ineffective at reducing crime (Webster, 2009), susceptible to the embedded cultural/social/organizational knowledge of the operators (Norris and McCahill, 2006) and highly variable with regards to CCTV system quality, data sharing

and operator training (Bannister et al., 2009). These policing tactics have not been restricted to city centres and increasingly residential developments have also seen an 'increasing emphasis on the links between security, renewal and community development [through] a complex mix of sovereign state and responsabilization interventions' (Fyfe, 2010:489) which have been deployed to allay resident's fears of crime and victimization. The most palpable example of this is the contemporary rise of the residential 'gated community' (Blandy, 2006a, 2006b; Blakely and Snyder 1997) and 'the promise of a sanitised residential cocoon' (Blandy, 2006b: 239). However, the perception of increased safety may no more than be an illusion as crime rates within gated communities are often comparable to non-gated communities (Wilson-Doenges, 2000), whilst a shared sense of community was significantly reduced (Low, 1997).

Ultimately, "the use of ZTP, CCTV surveillance and the development of gated communities, is bound up with the re-moralization of city space" (Fyfe, 2010:483) and the search for safety. However, as Fyfe's geographic assessment of the flow between sovereign state and adaptive/responsibilization agendas demonstrates, this flow often develops unevenly across space and the "the nature and impacts of ZTP and CCTV surveillance appear far more complex than either their supporters or critics will allow for" (2004:43). For example, with ZTP there is a tendency to focus on the exaggerated caricature of ZTP, that a clamp down on all minor crimes is implemented unanimously across the board at all times, and leaves the police with little or no discretion. The reality is that "short of unlimited police resources and the complete absence of community opposition, zero tolerance can be more readily understood as a catchy

political slogan than as an illuminating concept” (Silverman and Della-Giustina, 2001: 953). When ZTP is deployed sensitively it can be effective in enhancing the confidence of various groups (e.g. in relation to abuse directed at women, racial and ethnic minorities and other vulnerable groups) and their use of city centres. Conversely, however, where it is deployed insensitively and focused on the zealous pursuit of all quality of life offences it can be tool for punitive social exclusion of individuals and social groups (Fyfe, 2004).

3.2 Garland and the ‘culture of control’

Clearly geography can provide numerous insights and analytical tools with which to approach and conceptualize issues related to policing modern societies. However, the work of geographers reflects a wider interest in issues of policing in late modernity, and much of their work has been openly developed in conjunction with the work of academics from other disciplines that was taking place at the same time. One of the most preeminent and influential of these is the sociologist David Garland, who in a series of publications developed a conceptual framework from which to interpret and explain what he saw as significant changes in both police and the wider realm of policing, beginning by examining changes in the sovereign state and governmental agencies (1996), then the influence of social structures and cultural sensibilities (2000), culminating in his influential ‘Culture of Control’ (2001) thesis. This section explores more fully the central themes of his argument in order to understand and explain why his work has been so influential on the policing literature and establish what lessons can be garnered in respect to my thesis.

In his early work, Garland (1996) focused on the development of contemporary governmental action in relation to crime control which he saw as representing a distinct break from the penal-welfare policies that preceded them arguing that they were a direct result of the political predicament which the state found itself in this late modernity (1970 onwards). According to Garland, this predicament came about as high crime rates became a “normal social fact in Britain” to the extent that the “threat of crime has become a routine part of modern consciousness” (ibid: 446). He claims that despite early tough rhetoric relating to this problem from the government, there has been a steady change in official discourse and an acknowledgement that official state agencies (i.e. the police, penal institutes, probation, deterrent laws etc.) cannot effectively control this problem by themselves.

He continues by arguing that high crime rates, together with the exposure of the limitations of the criminal justice systems efficacy to deal with them, began to erode “one of the foundational myths of modern societies: namely, the myth that the sovereign state is capable of providing security, law and order, and crime control within its territorial boundaries” (ibid: 448). The predicament, then, arises from governments trying to reassert their sovereign dominance, whilst at the same time acknowledging that they are incapable of dealing with these issues by themselves with traditional crime control methods, a process which he called the ‘limit of the sovereign state’. A significant part of this process has been the modification of the criminological discourse in UK. Whereas previous discourses had characterised crime as being an aberration from normal civilized conduct, contemporary discourses now

talk of “criminologies of everyday life”, where crime is a “normal, commonplace, aspect of modern society [and] requires no special motivation or disposition, no pathology or abnormality, and which is written into the routines of contemporary social and economic life” (ibid: 450).

3.2.1 ‘Adaptive’ and ‘sovereign state’ strategies

Garland argues that in response to these changes there has been the introduction of an array of what he terms ‘adaptive strategies’ and ‘sovereign state strategies’. ‘Adaptive strategies’ largely emerged as a way to combat the limitations of the state with the emphasis on stressing prevention through ‘responsibilisation’. This is achieved by encouraging non-state agencies and organizations to take both responsibility for reducing criminal opportunities and their risk of becoming a victim of crime, as well as “build[ing] up the internal controls of neighbourhoods and encourage communities to police themselves” (Garland, 2001: 17).

Garland cites contemporary government rhetoric use of phrases, such as, “‘partnership’, ‘inter-agency cooperation’, ‘the multi-agency approach’, ‘activating communities’, creating ‘active citizens’, ‘help for self-help’ [of which its] primary concern is to devolve responsibility for crime prevention to agencies, organizations and individuals, which are quite outside of the state and to persuade them to act appropriately” (Garland, 1996: 452). Such strategies work “*through* civil society and not *upon* it” (Garland, 2000: 348), frequently devolving traditionally sovereign state

powers to newly formed hybrid partnership organizations that traverse old public/private boundaries and build new crime control infrastructure.

However, Garland is keen to point out that this is not a retreat of the sovereign state from crime control issues, and in close relation to the adaptive strategies are the sovereign state strategies. In these strategies, certain types of offences and offenders (e.g. sex offenders, terrorists, anti-social neighbours) have been subject to even more expressive and intensive modes of policing and punishment, as the state reactivates what he calls “the myth of the sovereign state” (Garland, 1996: 449). Furthermore, Garland is keen to emphasize that responsabilization strategies are not representative of the state ‘passing the buck’ when dealing with crime, but are attempts at ‘governing-at-a-distance’. Indeed, the amount of effort involved in making these ambitious partnerships work requires a large portion of the state’s knowledge and resources. There exists a long list of punitive measures (e.g. longer sentencing, ‘no frills’ prisons, Anti-Social Behaviour Orders (ASBOs), community notification laws, zero tolerance policies, sex offender registers etc.) that have accompanied these adaptive strategies which utilize harsh law and order rhetoric and historically have always been “supported by a public audience, for whom this process of condemnation and punishment serves as an expressive release of tension and a gratifying moment of unity in the face of crime and insecurity” (Garland, 2001: 142).

3.2.2 The 'culture of high crime societies'

Another central tenet of Garland's overarching argument is that these contemporary forms of expressive justice differ from previous historical examples (see for example Foucault, 1977) and need to be seen in the context of the wider social structures and cultural influences. To demonstrate this, Garland focuses on the changes to the professional middle classes, or the 'liberal elites'. He suggests that they are the one particular social group whose attitudes and dispositions have transformed the most and conversely had the most impact upon the politics of crime control. Garland argues that in the post-war era there has been a decline in the popularity of "penal welfarism" that previously was a distinguishing mark of the middle-classes due to "a new experience of crime" (ibid: 354). This has occurred as a result of a growing sense of 'ontological insecurity' (Giddens 1990) in the middle classes where a sense of risk in everyday life (real and perceived) has grown due to a withdrawing from public places to private ones, the spreading of crime from areas that are 'traditionally' associated with crime (i.e. poor areas), an accumulation of expensive consumer goods and the dramatizing and reinforcing of fear of crime through the media. Whilst these processes alone are not "sufficient to explain changes in social attitudes to crime", nevertheless they do "pose definite problems that demand adjustments, adaptations or solutions of some kind" (ibid: 364).

The two most prominent of these have been the development of a repertoire of private security arrangements in the commercial sector and adaptive precautionary reactions of private citizens. For the commercial sector, adaptations have come as a result of the criminal justice system being ineffective or inconvenient for their

commercial goals leading to the development of spatially distinctive 'private justice' enclaves where potential and actual offenders receive private justice:

In these 'private' settings (many of which are mass public spaces that happen to be privately owned and administered) individuals may be required to submit to searches; to be monitored and filmed; and may be subject to exclusion without cause shown. There is here a rough justice of *exclusion* and *full-force surveillance* that has become more and more routine in our experience and which is increasingly viewed as a necessary condition for securing the safety and pleasure of consumers and decent citizens. In this respect, 'crime consciousness' – with its dialectic fear and defensive aggression – has come to be built into our physical environment (in shopping malls, leisure complexes, airports, train and bus stations, city centres etc.) and thus into the habitual routines of our everyday lives (Garland, 2000: 356).

Likewise with private citizens, responsive and adaptive strategies (e.g. revising daily routines, fitting locks, buying insurance, public entry systems, moving to the suburbs/gated communities etc.) all feed into the increasing fear of crime – or the 'collectively raised consciousness of crime'. Whilst paradoxically attempting to reduce these fears, they simultaneously and gradually institutionalizing them over time so that they have been "written into common sense and the routines of everyday life: into our expectations, our entertainment and news programmes, our insurance contracts, our urban myths, our real estate categories" (Garland, *ibid*: 367).

According to Garland, what we now have is a situation where a cultural formation that he has termed the 'crime complex' has grown out of the phenomenon of institutionalized high crime rates and ubiquitous security and risk prevention strategies which is characterized by "a distinctive cluster of attitudes, beliefs and assumptions". For Garland, "late modernity" – the distinctive pattern of social, economic and cultural

relations that emerged in America, Britain and other parts of the developed world in the last third of the twentieth century – brings with it a “cluster of risks, insecurities, and control problems that have played a crucial role in shaping our changing response to crime” (2001, viii). Ultimately, Garland argues that “today’s most visible crime control strategies may work by expulsion and exclusion but they are accompanied by patient, on-going, low-key efforts to build up the internal controls of neighbourhoods and encourage communities to police themselves” (Garland, *ibid*:17).

The influence of his work can be seen across a large cross-section of academic literature, in which collective interest in crime control has incorporated his work, and often overtly referenced it. From the perspective of my thesis, Garland’s work presents a comprehensive conceptual framework with which to examine and analyze contemporary crime control strategies. The remainder of this chapter looks at how his work has been engaged with by other disciplines as they have attempted to examine and explain contemporary crime control strategies, and how their interpretations and modifications are useful to the analytical framework of this thesis.

3.3 The ‘pluralization’ of policing

A review of the literature shows that many researchers were already also identifying the changes to policing that Garland discussed and sought to similarly offer conceptualizations.

3.3.1 The future of policing?

For example, Bayley and Shearing (1996) published an article that both mirrored Garland's work and also offered slight modifications in an influential article titled 'The Future of Policing' in the journal *Law and Society Review*. Similar to Garland's 'limits of the sovereign state' argument, Bayley and Shearing made a series of sweeping claims about what they perceived as being significant changes occurring to developed democratic societies and the resulting effects and implications for their police forces. For them, "modern democratic countries...have reached a watershed in the evolution of their systems of crime control and law enforcement" and that "future generations will look back on our era as a time when one system of policing ended and another took its place" (ibid: 585). They argue that these changes are characterized by two main developments; the pluralizing of policing and the end of a monopoly of the public police on these issues, and the public police's search for a new role in society having undergone an 'identity crisis'.

By describing 'the end of a monopoly', they contest that a 'pluralizing' process has seen exponential growth in both the private security (profit-making, commercial industry providing direct security and/or security advice) and community crime prevention (unpaid, non-commercial volunteering and citizen participation) sectors. They quote figures to show that those employed in the private security now outnumber those of the public police in the UK and North America, gained public and private approval by breaking from the previous image of merely being "ill-trained bands of thugs" (ibid: 587). Furthermore, community crime prevention, historically

associated with vigilantism, they claim has also been “transformed in less than a generation” (ibid: 587) to a recognized and respected form of community self-policing.

The other major element of restructuring Bayley and Shearing discuss is the ‘search for identity’ by the police due to “growing doubts about their effectiveness of their traditional strategies in safeguarding the public from crime” (ibid: 1996), compared to the ‘golden age’ for the police during the post-war 1950s when crime rates were low and public opinion of the police was at an all-time high. They cite numerous examples to illustrate this ‘identity search’, including low clear-up rates, the constant search for ‘new approaches’ (e.g. ‘community policing’ and ‘order maintenance policing’), the introduction of charges for services which used to be free, the civilianization of public policing (e.g. Special Constables and civilian staff) and the increasing supervision and scrutiny of the police by governmental and non-governmental agencies. They warn that the movement of crime control from the police to other agencies has “profound implications for public life, especially on the level and distribution of public safety, the vitality of civil rights, and the character of democratic government” (ibid: 586).

The concerns regarding the handing over state power to other policing authorities highlighted by Bayley and Shearing is shared by Loader (2000) who argues that a lack of public accountability has resulted as traditional intra-organizational modes of accountability “are rendered limited and inadequate [as] novel policing forms are fast outstripping the capacity of existing institutional arrangements to monitor and control them”. The result of this is that “the world of plural policing remains, at best, weakly

or obscurely accountable” (ibid:324) and will result in a security force that is non-specialized, client and victim orientated:

This has established private security as a readily available alternative to public police for those with the means to afford it, and has made private security a much more visible contributor to policing than it has been hitherto. The result has been an unobtrusive but significant restructuring of our institutions for the maintenance of order, and a substantial erosion by the private sector of the state's assumed monopoly over policing and, by implication, justice (ibid: 469).

However, although they agree with much of Bayley and Shearing's argument, Jones and Newburn (2002) claim that they are guilty of “overstating the degree of novelty attributable to the changes taking place” (ibid: 132), whilst choosing to ignore or downplay the continuities and consistencies of police work. They also posit that Bayley and Shearing put forwards an over-globalised view of the world, conflating the changes in social control experiencing in the US and UK. They term Bayley and Shearing's ideas as the ‘transformation thesis’ made up of three distinct, but contestable, elements; the ‘end of monopoly’; ‘the pluralization of policing provision’, and the ‘changing character of, and the search for a new identity for the police’.

Regarding the ‘end of monopoly’, they argue that the police are still the only state sanctioned body that can arrest, detain and charge on behalf of the state and, if necessary, utilize legitimate force, and there is strong resistance to providing these unique legal powers to any other bodies. They agree that in the wider ‘policing’ sense, there has been a fracturing of the ‘symbolic monopoly’ that equated to ‘policing’, but argue that the perceived period of public police monopoly during the ‘golden age’ of

the post-war 1950s was as a result of a the variety of structural influences that “underpinned a more effective network of informal social controls” (ibid: 133) rather than anything directly attributable to the actions of the police at that time. With the ‘pluralization of policing provision’, the growth of the private security industry and the emergence of other policing bodies, they agree that there have indeed been changes but that this is not particularly new phenomenon and perhaps represents more of a continuation of a long-term trend extending back several decades, and argue that there has been “considerable *continuity* as well as *change*” (ibid: 134). Jones and Newburn also question the extent to which the police had ‘changed their character’, arguing that although there has been the introduction of a ‘managerialism’ into the police, the police remain distinctly a ‘public’ service, particularly in terms of their funding streams. The process of ‘civilianization’ where civilians were employed within the public police force as ancillary support (e.g. traffic depot managers, finance officers, administrative functions) and voluntary ‘Special Constables’ that was strongly encouraged in the 1980s, again represents a longer term process dating back to the start of the century (see Jones et al., 1994) and that ‘Special Constables’ have actually declined in number significantly since their 1950s peak of approximately 70,000 in 1951, falling to 20,000 in 1997.

3.3.2 The pluralisation of the police: the changing definition of ‘policing’

There is a general consensus that much of what Bayley and Shearing (1996) outlined regarding significant changes to the police and what defines ‘policing’, is valid, something that despite their criticism Jones and Newburn (2002) agree with. What

this means for police or policing based research is that new conceptualisations are needed to make sense of the growing complexity of police and policing entities, their objectives and the working relations between them. The most pressing concern for such studies, including this one, is the need to broaden the research scope to include these other policing organisations. Crawford (2003) has stated that such is the restructuring and proliferation of 'policing beyond the police', that now any study of the 'police' needs to encompass or acknowledge the myriad organizations and actors that have adopted or been granted policing functions as a "pluralised, fragmented and differentiated patchwork replacing the idea of the public police as the monopolistic guardians of public order" (Crawford, 2003:136). As Loader (1997) explains:

It is becoming more and more difficult to conceive of security provision purely or even principally in terms of what the public police do. Security must now be taken to refer to a whole range of technologies and practices provided, not only by public bodies such as the police or local authorities, but also by commercial concerns competing in the market place (Loader 1997, quoted in Newburn 2003).

Added to this, there is also the need to take on board the new definitions of what constitutes policing and appreciate that this is a term that is now inclusive of a vast variety of practices and processes:

Policing as a set of activities and processes is something that may be performed by a variety of professional and ordinary people. This may be a group of professionals employed by the state in a dedicated organization called 'the police' with a broad mandate of crime control and order maintenance. In addition, policing may be a task of professionals employed by either by (local or central) state agencies with specialist policing functions. Furthermore, policing may be conducted by municipal agents, private security personnel or by the public in their local

networks of informal social control. Increasingly, policing may also be the product of new technologies, such as bugging devices and surveillance cameras, or even embedded into the design of the built environment (Crawford, 2003: 137).

To encompass these pluralizing changes, Johnston and Shearing (2003) expand the definition of 'policing' further and instead apply the label 'security governance'. In this concept they see a much broader, nodal form of power in which they down play the role of the state-centered conventional public police, and emphasize the need to examine empirically the relationships between agents at these nodes as they vary across time and space, as do the resources available to them. Conceptually the centralized state is secondary to diverse governmental nodes, thereby defining governance as "the property of networks rather than as the product of any single centre of action" (ibid:148).

However, despite the complex totality of policing, Crawford (2003) argues that it is important to recognize that the police still dominate policing, both symbolically and literally, "the role of the state remains pivotal in its inaction as well as its action [and] the professional police remain qualitatively different from other forms of policing in its symbolic power... generalist mission and regulatory position with regard to other forms of policing" (ibid: 139). Jones and Newburn (2002) also argue that research on these issues must also give attention to the changes in the nature of wider social control systems to fully understand the changes that have undoubtedly been occurring in policing. With echoes of Fyfe's (1991) argument, Newburn (2003) argues that it is important to understand this evolution within the social, cultural and political context

as it forms the backdrop to current developments and preoccupations in policing (ibid: 708).

3.3.3 Policing typologies

One of the results of the numerous conceptualizations of policing, such as those outlined above, is that there have been attempts at creating various typologies to classify them. For example, using Cohen's definition of 'social control' to mean organised and planned responses to deviance and socially problematic behaviour "which are actually conceived of as such" (Cohen, 1985, quoted in Jones and Newburn, 2002: 139), Jones and Newburn distinguish three different levels; primary, secondary and tertiary. Primary social control refers to crime prevention, peacekeeping, investigatory activities that are purposefully executed by organizations/individuals as their defining features (i.e. police, regulatory bodies and inspectorates). Secondary social controls consist of functionaries for whom social control is an important part of their remit, but it is not their primary role (i.e. teachers, park-keepers, railway guards, bus conductors etc.). Tertiary social controls include 'intermediate' groups within local communities (workgroups, churches, trade unions, clubs and community groups). Jones and Newburn highlight the declining influence of secondary controls due to the 'development and spread of new labour-saving technologies' allowing for their reduction in number, and cite the works of Putnam (2000) and Sennet (2000) that show the declining influence of tertiary institutions such as those mentioned above. This leads to a disassociation with localities and a reduction of informal social controls

and 'natural surveillance' as citizens becoming more likely to relate to the social world as individuals.

However, in a process they have termed the 'formalization of policing and social control', Jones and Newburn (2002) demonstrate that during the decline of these informal social controls there has been a corresponding rise in the primary social control category. For them, these larger contextual changes go a long way to explaining the changes in the police and policing that are currently being documented, and has also contributed to an increase in urban fear and rising crime rates that have been recorded since the Second World War. Whilst Jones and Newburn's typology may provide a relevant categorization of the separate policing bodies, it is the relations between the policing bodies and how they (un)successfully combine to create security governance that is of interest in this thesis. Two conceptual typologies are which attempt to provide such a framework are of particular interest to this thesis: Crawford's (2003) models between state and other forms of policing, and Wakefield's 'security quilt' (2003).

In discussing 'policing beyond the police' Crawford (2003) sets out a comprehensive argument establishing the context for contemporary policing, listing who is involved in 'plural policing' (police, specialist policing bodies, municipal policing, civilian policing and commercial policing) and outlining how there has been a blurring of the functional, legal, sectoral, spatial and geographical dimensions of their policing objectives and approaches. In his research, Crawford found examples of the various relationship structures that can exist between the police and other policing

organisations and posits there are five models with which to conceptualise these relations. The 'integrationist/monopolistic model' is a form of policing that is integrated within the 'immediate police family' of the professional state police i.e. the police directly employ a larger proportion of security work force by employing more professional police officers, civilian staff and 'second tier' police officers (Special Constables). The 'steering model' is when police seek to 'govern at a distance' the policing activities of others by linking plural security providers under the coordination and guidance of the professional police. In this model the police are both ideologically and legally dominant and they assume the position of service provider and regulator. The 'networked model' the plural policing providers link together in lateral partnerships (as equals) in local security provision. The police act as knowledge brokers, expert advisors and security managers. However Crawford highlights that essential communication sharing between these networked policing bodies is often fraught with difficulties:

Information flows between security providers may often be hesitant, non-reciprocal and easily disrupted...local governance through partnerships, by its very nature, embodies structural conflicts over cultural traditions and working practices between the actors. As such, the idea of networks as a descriptive term tends to imply an overly organised understanding of highly fragmented local security arrangements (ibid:160).

With the 'Market model', competition structures the relations between the divergent security providers and the police are in competition, often directly, with other security providers. A 'private government' model is where state policing is shut out or has

relinquished authority to police in certain spaces and only enters where invited or called upon to do so.

Crawford claims that these five models are to be found coexisting within recent policy practice and developments, and argues that the current policing terrain is “complex and ambiguous” (ibid:161), simultaneously being ‘joined-up but fragmented’. The object of governmental initiatives are both ‘arm’s length but hands on’ (Crawford, 2001) and in certain areas the “state intervention is being *withdrawn*, in other areas it is *redrawn*, and in still others it is being *extended* (Crawford, 2006b:471):

What we see resulting is not the state becoming ‘weaker’ or necessarily ‘smarter’, but rather diverse forms of a more frenetic, volatile, contradictory and politicized regulation of behaviour. This hyperactivity, its ambiguous consequences and uneven implementation have largely been overlooked by proponents of the post-regulatory state thesis and networked governance. Yet this frenzied quest for ever newer and more capacious modes of control has become a defining logic in the governmental anchorage of the governance of conduct in Britain. This constitutes the context in which both specific new technologies of regulation and regulatory practices need to be evaluated not only for their effectiveness and responsiveness, but also for the incoherent conception of ‘state craft’ embedded in the clash between ambitions and limited capacities (ibid:471).

During his discussion on the issues raised by the growing market for policing, Crawford even uses the NTE as an example and states that despite the rapid increase in the numbers and provision of private security, the growth of the NTE was “made possible by the existence of a ‘free’ public policing both willing and able to respond to its criminogenic and disorderly consequences” (ibid:155). However, although Crawford mentions that the relationships between police and other policing bodies are all “to be

found coexisting within recent policy and practice developments” (ibid:157), he does not offer a sustained analysis of what this ‘coexistence’ looks like or the significance of local specificities i.e. how these policing bodies relate to each other (un)successfully across space and time and the reasons for this.

Wakefield (2003), on the other hand, does offer a conceptual framework for making sense of the contemporary role of private policing of public space by examining the use of private security within three publicly accessible areas of mass private property (shopping mall, retail and leisure complex and a cultural complex). Her analysis of the changing structures of policing, brought on by contemporary social trends identified by Garland, is inherently a spatial one and she adopts Ericson’s 1994 analogy of a ‘security quilt’ to describe the patchwork-like provision of security provided by policing agencies. Her analysis of the security quilt is carried out in relation to the different sectors with regards to their position along a private/public continuum (e.g. private business through to central government) that control or contract the services of the policing agencies, as well as the various forms of publicly and privately controlled urban space in which they operate. Wakefield argues that on this continuum a plethora of agencies regulate and police the different forms of territory, however the police and private security operations (encompassing both in-house and contract security) are the only agencies that are normally controlled or contracted to provide services in each of the five sectors she identifies (central government bodies, local government bodies, quasi-private agencies, private organisations and voluntary bodies/co-operative). Wakefield’s classification extends to the types of space in which

they operate, “reflecting the territorial boundaries that are closely associated with the division of labour in policing” (ibid:41).

When adding this spatiality to the analysis it becomes apparent that the police are less spatially constrained than any other policing agency, a fact also identified by Jones and Newburn (1998), featuring in all four of the spatial categories she identifies (open public space, restricted public space, open private space and restricted private space). The scope of private policing is also highlighted by Wakefield’s categorisation and is the most prominent form outside of the police. However, Wakefield also argues that such typologies suffer from the shortcoming of not taking into account the collaborations between policing agencies. The nodal form of power represented by security governance, where operational and territorial boundaries between policing bodies is blurred and less well defined. She proposes that the most apt conceptualisation of the public-private working relationships in policing is a pluralist framework, such as the one proposed by Shearing and Stenning (1983), and in alignment with Ericson’s ‘security quilt’ analogy that recognises the distinctive contribution of each of the various agencies engaged in policing in terms of the services, expertise and knowledge they contribute. Wakefield argues that her analysis of “the range of agencies involved in the policing of territories, the sectors in which they are controlled, and the different spatial domains for which they are responsible, lends weight to the pluralist perspective, illustrating the complexity of contemporary British policing” (ibid:44). Where Wakefield’s framework begins to become less apposite as a conceptualisation tool from which to examine the security provision in the NTE relates to her choice of context; i.e. the ‘mass private property’ of a cultural

centre, a shopping mall and a retail and leisure complex where the surroundings have been designed to be day-time economy (DTE) 'locations of trust' that were "attractive, comfortable and convivial settings...[designed] to convey the impression that there was no problem of disorder" (ibid:225). Wakefield's analysis is thus a DTE-centric one and she fails to expand her analysis to include the changing nature and characteristics of what constitutes appropriate security governance in the spaces of the NTE. In a short example from one of her case study sites she acknowledges that licensed premises do offer challenges to the security provision offered by private security, however she does not elaborate upon this example.

Both Wakefield and Crawford's conceptual frameworks claim to provide a means of understanding abstract policing theories by placing them in contemporary crime control strategies in real world situations. Furthermore, whilst both discuss the various new and expanding policing bodies, they, unlike many policing researchers, also both highlight the importance and centrality of the police in these issues and devote significant time to the evolving role of the police as a separate entity as well as the relations it has to the various other policing bodies and security networks.

But what does all this mean for my thesis? How useful are these conceptualisations for specifically examining the role of the police in the context of the NTE? Before I answer this I wish to examine the studies that have examined the policing of the NTE and see what lessons can be learned from these existing studies.

3.4. Policing in the night-time economy

A review of the literature pertaining to the NTE shows that many of the conceptualizations of policing modern societies that are outlined above, particularly Garland, have been utilized in some form or another. For example, Hall and Winlow (Hall, 2000; Hall and Winlow 2005), build upon Garland's theory of 'limits of the sovereign state' and argue that the police and other policing bodies face an impossible mandate against inevitability of rising crime in contemporary society. In what they call 'their ongoing theoretical and empirical project', they see the stubbornly high rates of interpersonal violence in the NTE as being the result of processes that are beyond 'increased risk' which can be controlled and managed by diversified state powers, order maintenance agencies or 'responsibilized' private businesses, and argue that it is in fact a consequences of the breakdown of the 'pseudo-pacification process' that is specifically prominent in contemporary neo-liberal UK and American societies. They argue that the mechanisms of self-control and relatively civilized human sensibilities that existed over the past 600 years in Europe are now "showing early signs of corrosion" (Hall and Winlow, 2005:385) and whereas previously work, class politics and community were the founding locus of identity-construction, now there is "personal ambition, anxiety and mounting debt" (ibid:385). For Hall and Winlow, examining the broader social and economic context of the NTE ties the violence of the NTE into the general problem of crime which they see as being emblematic of British society at this point in history:

Under intense pressure to consume copious amounts of alcohol, the anxious products of a hyper-competitive, atomized society – wherein the socio-economic interdependencies in

which individuals learn to value and respect one another have disintegrated and the behavioural codes that maintain the super-ego have been beaten back by the hedonistic demands of consumerism – young individuals enter a space minimally regulated by a shaky partnership between commercial interests, and overstretched police services representing the authority of a state that very few people have much faith in. To be candid, we await with great interest the arguments of those who would *not* expect to see high levels of interpersonal violence in this space (Hall and Winlow, 2005:385).

3.4.1 Private security: the bouncer

The extent to which crime is ‘inevitable’ in the NTE raises serious issues for those NTE policing bodies. The result of this, coupled with the states “apparent reluctance to respond to the NTE with anything approaching adequate planning, regulation and, most importantly, policing” has made the rise of private policing inevitable (Hobbs et al., 2002:366). For Hobbs et al, the increase in the number of bouncers represents the most conspicuous example of the new forms of control to develop and thrive in the NTE environment, which they see as being a natural evolution of indigenous forms of regulation and policing that occurred as a result of the state relinquishing and devolving their sovereign responsibilities of policing. Using Manchester as an example, they show how on an average Friday and Saturday night 30 police officers are charged with controlling 75,000 people, whereas there are 1,000 bouncers in the same context. They argue that bouncers are the “*primary custodians* of order within the chaotic and highly profitable zones of quasi-liminality which comprise our contemporary night-time economies” (ibid:366).

However, the proliferation of the bouncer in the NTE can also be seen an example of the issues that can accompany the state handing over of power to pluralized forms of

policing. For example, whilst the police are bound to a strict code of legal, ethical and moral guidelines and are subject to internal and external regulation and scrutiny, bouncing is a profession based on the 'art and economics of intimidation' (Hobbs et al., 2002). As Hobbs et al. state: "the police enforce the law, but the bouncer, although like any other citizen subject to the law, operates according to a highly ambiguous cocktail of extra-legal maxims, occupational codes, and personal discretions, underpinned by an interpretation of what is good and what is bad for business" (Hobbs et al 2003: 120). Bouncers are ruled by informal and pragmatic techniques of control and a powerful subculture of masculine traditions (Hobbs 2003) that have been developed as a result of working in such a hostile environment where it is necessary to threaten and use physical force (Hobbs et al, 2002, Lister et al, 2000) on a constant basis. Bouncers also have historical links to organized crime (Hobbs, 2001) and been characterised by high rates of assault incidents but low rates of prosecution (Lister et al., 2000).

3.4.2 A 'decade of grip tightening'

Though the state has relinquished some of its responsibilities over the past decade to bouncers and other agencies, there has also been a corresponding increase in the number and diversity of legislation and laws pertaining to the NTE. Hadfield has described this as a 'decade of grip tightening' which occurred:

In combination with major reforms to the licensing laws, introduced through the implementation of the 2003 [Licensing Act, England and Wales], a highly politicized context emerged in which public, media and professional concerns regarding alcohol-related crime and

disorder (and the health implications of national drinking patterns) conspired to create a crisis of legitimacy for the British state. As a consequence, numerous concessions in the form of new powers and funding for police and local authorities were made to counterbalance or reconfigure what had been a thoroughly neo-liberal policy agenda in which the alcohol industry appeared to have ‘captured’ the means of their own regulation (Hadfield, 2009:468).

Hadfield continues by discussing the various government backed police led-campaigns which were aimed at reducing alcohol-related disorder and which were augmented “by a significant ‘ramping up’ of formal police powers and (administrative) regulatory options aimed at those on both the demand-side and the supply-side of the market in alcohol sales [with the result being] the latter being held culpable for the often intoxicated and sometimes disorderly behaviour of the former” (ibid:468). When combined these new powers allowed the authorities to target both individuals (mis)conduct and also businesses that conduct ‘risky’ operational practices when selling alcohol, such as selling to those under the age of 18 and selling alcohol to those already drunk, thus tackling the supply and demand side of the NTE.

The ‘venue-based’ measures introduced to curb ‘irresponsible’ supply of alcohol – imposition of Licensing Conditions, License Reviews and Closure Orders, the punitive ‘person-based’ measures brought to bear on individuals to curtail disorder (Fixed Penalty Notices, ASBOs and Drinking Banning Orders) and ‘place based’ measures (Dispersal Orders, Cumulative Impact Policies and Alcohol Disorder Zones) – have all contributed in their own way to creating a new NTE governance. However, Hadfield goes on to show how the introduction of these new discretionary police powers and the ‘responsibilization’ of the licensed trade has not been a straightforward process.

The attempts to secure order and governance within the NTE is fraught with tensions and ambiguities, largely due to the spatially ad hoc nature of its implementation across national and local scales and its rapid escalation and formulation of these new regulatory structures. He also found that, despite the communicative properties of 'tough laws' and 'clampdowns' to the public, there was scepticism that centrally-driven enforcement campaigns were ineffective due to their time-limited nature.

Concerns are also evident over the effectiveness of these measures at addressing the underlying reasons for the related violence and disorder in the NTE, such as the availability of alcohol in the home, parental ambivalence to under-age drinking and the attraction for some of the chaotic nature of the NTE. Effective crime reduction strategies were linked to the degree to which enforcement actions can be sustained and combined with other strategies, either local or national.

In their comprehensive review of the evidence based research on preventing aggression in and around bars and clubs, Graham and Homel (2008) identify cultural context, alcohol, patron characteristics, venue environment, staff behaviour, and spaces around drinking environments as being the recurring key factors to influencing aggression. They argue that effective crime reduction strategies need to appreciate a multitude of aspects including: appreciating that many of the processes that give rise to aggression are connected to each other and any effective preventative response will need to include more than one approach; approaches need to be tailored to specific drinking establishments and community and culture as each provides different regulatory challenges (e.g. local 'old man pubs' with loyal clientele, well established

informal social controls that have evolved over long periods of time need very different regulatory approaches to nightclubs that operate as highly competitive business entities seeking to enticing large numbers of young and capricious consumers); build upon scientific evidence of strategies that actually reduce aggression and violence; and be responsive to processes already put in place by the industry and security providers in each situation. Such a framework lays out the ways in which adaptive and sovereign state strategies can operate to promote certain behaviours through partnerships, co-operations and other new forms of crime control infrastructure, whilst acknowledging the importance of local context. Graham and Homel argue that the theory of ‘responsive regulation’ provides the conceptual tools for “thinking through the challenges involved in choosing evidence-based strategies and balancing persuasion with punishment in complex and rapidly changing situations” (ibid:252). A central tool they propose for responsible regulators is the ‘enforcement pyramid’; the cooperative base level of the pyramid is where the majority of the action takes place, with transition to the higher and more coercive levels dependent upon identification of failure to adhere to cooperation. However, when more punitive measures have been successful in modifying practice, then the regulator can move down the scale. Graham and Homel’s responsive regulation underscores the importance of appreciating specific localities and the need to adapt policy according to each area, down to the specific venue level. Graham and Homel conclude:

Responsive regulation theory provides a powerful, practical and flexible framework within which to locate evidence-based preventative practices. Equally important, a responsive regulation framework provides a model for institutionalizing or mainstreaming prevention programs that have been developed as demonstration projects by researchers, making it

possible to determine how the mix and intensity of preventative components may be varied over time in response to changing industry conditions... the exact mix of elements, and their duration, will depend on local conditions as they vary over time and are moulded by the actions and reactions of all the players involved (ibid:255).

3.5 Summary

This chapter has provided a review of the literature conceptualising the various aspects of policing and crime control in modern western societies which has changed. As the last section of this chapter suggests, the NTE is in many ways a microcosm within which to explore these contemporary policing issues using these analytical frameworks. From the state initially being reluctant to “respond to the NTE with anything approaching adequate planning, regulation and, most importantly, policing” (Hobbs et al, 2002:366), to a situation now where the state is ‘grip tightening’ (Hadfield, 2009), the changes have been both remarkable and rapid. The purpose of this review has been to layout the conceptual frameworks which directly inform the analytical framework of this thesis so as to answer the research questions regarding policing and police work in the NTE context. Three broad and interrelated areas have formed the basis of the theoretical lens used to understand the policing of the NTE. Firstly, from a geographical perspective, this thesis follows Fyfe (1991) in appreciating the importance of context on policing, and Herbert’s (1997) normative orders of police work are used at length to analyse the spatiality of front-line police work. Secondly, Garland’s (2001) ‘culture of control’ provides a comprehensive overarching conceptual framework particularly ‘sovereign state strategies’ and ‘adaptive strategies’, with which to examine and analyse contemporary crime control strategies,. Finally, to understand the “pluralized, fragmented and differentiated patchwork” (Crawford,

2003: 136) power structure that exists at the local scale I have used Crawford's (2003) and Wakefield's (2003) typologies. Before present the findings from this research, the next chapter discusses the methodology of the thesis.

Chapter Four: Researching the policing of the NTE

In many ways the NTE is a highly challenging environment for fieldwork. It is busy, dark, loud, frequently unpredictable, occasionally violent, often boring, and either too cold (when outside in public spaces), or too hot (when in private spaces of pubs and nightclubs). Researchers often witness a variety of unpleasant sights. In my time conducting fieldwork I saw blood splattered faces, tear streaked makeup, vomit covered clothing, and unconscious young men and women being stretchered into waiting ambulances to have their stomachs pumped or wounds attended to. Some of the images I witnessed stayed with me long after I had concluded my fieldwork. Furthermore, by its very nature the NTE necessitates that much of the fieldwork be conducted during tiring and antisocial hours which can negatively impact on the following day. I found staying in or travelling to and from the NTE case study sites to be draining, particularly when no accommodation was available and I had to drive considerable distances to return home in the early morning after a late nightshift.

Although it is rare to read personal reflections on how these challenges were negotiated, judging by the notable exceptions that do exist it is clear I was not alone in my experiences. In Hadfield's 2006 *'Bar Wars'* he refers to finding the fieldwork conducted in licensed premises and NTE public spaces to be "hard, tiring and frustrating" and notes that constantly working anti-social hours "impacted adversely on my social life and was a source of worry for my family" (Hadfield, 2006:276).

Similarly, Winlow et al., upon their reflection of conducting ethnographic research on bouncers, noted the following:

We detested the violence that we observed, and while there were adrenalizing moments, we would have gladly traded them for an early night in front of the TV and the prospect of analyzing some questionnaires the next morning (Winlow et al. 2001).

Although it was not always a pleasant or easy experience many researchers studying the NTE, including myself, have sought to answer specific research questions that necessitated fieldwork that placed them in the middle of the NTE lived experience. In this chapter I wish to outline some of the reasons why this is the case and begin by reviewing a selection of the NTE literature and discuss their chosen methodologies to highlight why, although there is a spectrum of research methods used by NTE researchers, qualitative methods have proven particularly popular. I then turn to discuss how my research design and research methods choice were directly informed by my specific research questions. The last two sections in this chapter look at how the fieldwork was actually conducted, with a particular focus on the qualitative research conducted with the police. Summarising the chapter I highlight the combination of elements of my methodology that are unlike those in the previous NTE literature, arguing that such a research design adds a new perspective on the burgeoning NTE literature. Before I begin I wish to stress that although the NTE was a challenging environment to conduct fieldwork overall the fieldwork with the police was by far the most enjoyable part of this project. My feelings on the matter of conducting fieldwork are shared by Punch (1979):

Field-work is fun. To a certain extent it is a 'holiday' from academic rituals and it provides an opportunity to get away from books, papers, essays, seminars, and sedentary pontificating on the ills of the world. Working with the police takes you out of the university and into the entrails of society... and basically all you have to do is watch and listen (Punch 1979: 14).

4.1. Researching the NTE: lessons from the literature

As mentioned in the introduction to this chapter, owing largely to the multi-disciplinary interest in the subject, there is a wide range of research questions that have spawned an array of methodologies.

4.1.1 Secondary data sources

One subsection of the literature has sought to understand the rapidly changing political/legal context of the NTE environment and has focused on the 'grey literature' of government legislation. In the Scottish context Elvins (2009) provides an overview of "the contemporary Scottish political and regulatory context within which decisions about alcohol and its socio-cultural and socio-economic dimensions take place" (ibid:52) by reviewing the major legislative reforms recently implemented by the devolved Scottish government and the (limited) research-based knowledge that exists to inform this debate. In England and Wales, Roberts (2005, 2009) has examined how consecutive governments since the 1980s have implemented the changes to local planning policies and found that there these have created "considerable gaps, still, between the holistic aspirations of government policies to reduce crime and disorder and the planning instruments available to local government" (2009:488).

4.1.2 Qualitative research methods

Studies such as the ones described above tend to be detached and objective reviews of the secondary data source 'grey literature' and highlight how in order to understand the NTE it is necessary to place it in its wider political context and be aware of the influence of such structural constraints. However, it would appear that much of the NTE research has favoured a qualitative approach, including interviews, participant observation and ethnography. For example, Winlow and Simon (2006), in their attempts to uncover the complex and misunderstood underlying causes and meanings of violence and pleasure in the NTE focused primarily on semi-structured and unstructured interviews but also used "lengthy observational work" (ibid:13) to bolster their findings. Combining interviews and participant observations to gather richer data is a well-established method in the social sciences, as Gerson and Horowitz (2002) have commented:

Good interviews rely on observation to confirm, cast doubt on, enrich, and make unexpected discoveries, and ethnographers often find themselves probing for the significance of observed actions and interactions through conversations... Taken together, both methods provide a richer, more complete, and more complex view of social life than either can offer on its own (Gerson and Horowitz 2002:221).

There is also a significant body of NTE research based on participant observation and ethnography. In general such qualitative methods are deployed to "understand parts of the world as they are experienced and understood in the everyday lives of people who actually "live them out" (Cook and Crang, 1995:4). For Graves et al. (1981) and Homel et al. (1999) who conducted participant observation in the NTE context, it

entailed being in and around licensed premises in 'hot-spots', to witness and study violence and disorder in real time, *in situ*. In another example, the collective works of Hobbs et al. (2002, 2003) were primarily based on ethnographic data obtained whilst one of the research team was employed as a bouncer. In an article discussing the rationale for deploying covert ethnographic research Winlow et al (2001) state that:

We were left in no doubt that the most fruitful avenue for analysis was to place a researcher within the occupation. From this vantage point we could become conversant with aspects of changing masculinities and self identity, changing leisure and lifestyle opportunities, the development and mutation of the night time economy, and the regulation of a highly problematic occupational sphere (Winlow et al 2001:538).

In this research project the focus of the ethnographic research was the police in the NTE context. Historically there is a long tradition of research conducted on the police that has been based on ethnographic research techniques, such as those conducted by Bittner (1967), Punch (1979) and Holdaway (1983), that provide vivid accounts of the 'day-to-day' realities of police work. Whilst there has been some criticism directed towards early studies such as these for lacking an appreciation of the importance of context (e.g. see Fyfe, 1991; Holdaway, 1989; Reiner, 2000) and for over-simplifying and creating a monolithic 'cop-culture' (e.g. see Herbert, 1997(b); O'Neill et al., 2007), police focussed ethnography remains valid.

Marks (2003) and Herbert (1997) are two police researchers that maintain that not only is ethnography a suitable choice as a research tool, but that it is the *only* way to actively research police work. For example, Marks (2003), in her assessment of

whether policing in the Durban Public Order Police unit had undergone any organizational change since the end of Apartheid, believes such research methodologies are “imperative” to such research. She states:

Grappling with this array of byzantine experiences necessitates a research approach that facilitates trusting relationships between researchers and police members, and that enables the researcher to observe (and even participate in) a range of circumstances. The ethnographic approach provides researchers with a way in which to examine cultural knowledge and behaviour that participants share and use to interpret their experiences. It allows researchers to comprehend complex value systems which are fashioned or transmitted by organizational folklore, stories and memories, which can only be grasped through ongoing engagement with police members and their environment (Marks, 2004:886).

Whilst developing his theory of the ‘normative orders’ of policing, Herbert chose ethnography as his main research method and argues that whilst these ‘normative orders’ are prevalent in the wider policing culture, they are “given particular definition within the more limited world of patrol” (ibid:79):

A detailed explication of these motivations is only possible via an ethnographic study. Only through closely examining the daily practices of officers can one develop a nuanced and comprehensive understanding of police territoriality; it is in and through these practices that normative orders are enacted in space (ibid:7).

4.1.3 Multi-methods approach

A significant portion of the NTE literature, however, has favoured a combined methodology, blending elements of both the approaches described above in order to answer broader research questions. It is more often than not the case that research

based primarily on retrospective analysis of secondary sources, such as crime statistics, emergency services records or population surveys, are augmented by qualitative research methods, such as interviews with NTE stakeholders (e.g., Finney, 2004; Hadfield, 2009; Hope, 1986). For example, in his companion studies in Glasgow of its pubs (Forsyth et al, 2005) and nightclubs (Forsyth, 2006) Forsyth developed a combination of research techniques and included secondary data sources (national crime surveys, police data), a postal questionnaire of licensed premises managers, interviews with bar staff and covert participant observation sessions conducted in licensed venues. This was done in order to “provide a full picture of the issues raised [by the NTE]” (2005:17) and allowed for “comparisons to be made between official crime statistics and disorder observed in the field” (ibid:30).

Another example is that of Hadfield’s (2006) *‘Bar Wars’*. For this comprehensive review of the contemporary NTE environment in the UK Hadfield approached the NTE from multiple angles, including consulting secondary data sources (historical accounts of the NTE, mapping the evolving pertinent legislation, crime surveys, etc.), interviews with numerous licensed premises’ employees (bar staff, DJs, door staff, promoters and bar managers), and participant observation sessions with the police. Hadfield even performed duties as an expert witness in a successful attempt to demonstrate the adversarial nature of licensing trials and how these go a long way to shaping the NTEs of England and Wales. In doing so, Hadfield gives firsthand accounts of how licensing trials were principally “gladiatorial struggles between partisan teams of professionals” and how the “asymmetrical distribution of performative skills correlated

with both the inequitable financial resources of the parties and, more often than not, with the verdict of the cases” (ibid:263).

4.1.4 Case study site comparisons

As well as choosing relevant methods, the location of the research can also be a significant contributing factor to answering a specific research question regarding the NTE. For example, some of the research on the NTE has been based on intensive single case study sites as a means of demonstrating the effects of deregulation of the licensed trade, promotion of entrepreneurial local government, and ineffective NTE governance at specific named sites (e.g. Forsyth (various) in Glasgow, and Chatterton and Hollands, 2001 in Newcastle).

More common in the NTE literature, however, is for multiple case study site comparison studies, such as Hobbs, Hadfield, Winlow and Lister’s (various, but see Hobbs et al 2003 and Winlow 2001) collective works on Manchester and the pseudo-named town of ‘Eastville’. Similarly Hadfield (2009) conducted an “intensive twin-site case study” using secondary data sets (national and local legislation and policies) and interviews with local and national stakeholders as a way to examine the “national policy arena and its interplay with the local” (ibid:468). By choosing this specific methodological approach Hadfield was able to show that despite the highly sensitized policy arena and the allocating of more new powers to local statutory partnerships than ever before, “the state and its local ‘statutory authorities’ do not hold all the

cards in the regulatory game, nor could they ever hope to do so given the social and economic complexities of the contemporary nightscape” (ibid:480). He continues:

Despite central government attempts to steer and standardize their use, anti-social behaviour powers and their accompanying guidance are filtered and reinterpreted by *local* criminal justice practitioners and administrative bodies for whom there have been significant consequences in terms of resources, capacity building and professional skills development. Responses to crime and disorder are thus multi-faceted, diffuse, and differentiated, often involving significant degrees of *locally*-directed responsabilization and third-party enrolment (ibid:481, added emphasis).

4.2 Approaching the NTE: questions of research design

The studies mentioned above represent only a portion of the literature but demonstrate the various approaches that have been utilised to research the NTE and which reflect their respective research questions i.e. “the problem under investigation properly dictates the methods of investigation” (Trow, 1957:33). I now turn to my research and, following on from some of the lessons learned from the methodologies of NTE literature, outline how my specific research questions informed my research design and resulting choice of methodology. Broadly speaking my research questions sought to answer;

- 1) What contexts and processes developed the contemporary NTE at the national UK and Scottish level and how have these national contexts combined with local influences to create the current NTEs of the case study locations?
- 2) What is the specific role of the police in ‘policing’ the NTEs, what influences their role, and how is this implemented ‘on the ground’? Does this role fit with other conceptualisations of policing?

- 3) What constitutes 'policing' of these NTEs and who is involved in this, how and to what extent? Where do these NTE specific policing strategies fit in the wider context of conceptualisation of crime control in modern societies?

As discussed above, multi-method research on the NTE provides arguably the best way to encapsulate the diversity of issues and stakeholders involved. Whilst this research project is based primarily on qualitative research methods, some secondary and quantitative data sources are used in a mixed methods approach based on the principles of pragmatism and a 'tool kit' approach to social research, whereby the appropriate methods were chosen to address specific research questions, rather than rigidly adhering to the underlying philosophical debates for one particular method (Seale, 1999). Therefore, in this research project the methodology consisted of utilising some secondary and quantitative data, but mainly focused on qualitative data gathered from semi-structured interviews and ethnography. The remainder of this chapter takes each broad research aim and links it to the specific research method, highlighting the rationale for each method, and discussing the relative merits of each.

4.2.1 Locating the research

As Hadfield (2009) has demonstrated, it is important to appreciate the context of the NTE, particularly the interplay between the national and local influences. Answering the first of the research questions was dependent on understanding this interplay at the national level and then narrowing the scope down to a local level. To date the majority of the NTE literature in the UK has been based on research conducted in

England and Wales¹² and as noted in section 2.6 in chapter 2, previous relevant literature on the NTE in Scotland (with the notable exceptions of Elvins (2009) and Forsyth (various), is limited. Therefore, having Scotland as the nation in which the research¹³ was to be situated meant, that while there was no established research agenda to use as a guidance, there was an opportunity to break new ground and add to the literature. More importantly, however, is that during this time period the incumbent SNP government has demonstrated the “clear political will to consider and introduce new and in some respects radical policies” (Elvins, *ibid*:60) in a bid to stem, what is considered by many, as Scotland’s ‘alcohol problem’¹⁴. With the close relationship between alcohol and the NTE such proposals by the government have created discussion, awareness and strong opinions making it a particularly pertinent time to conduct research as well as an audience for any findings that result from it.

Locating the research in Scotland in the specific period of time from 2007 onwards did, however, provide some interesting methodological issues to be negotiated. During the course of the fieldwork the most significant change to alcohol legislation in 30 years – the Licensing Law (Scotland) Act 2005 (hereby referred to as the Act) which came into effect on November 1st, 2008 – was implemented. This was both problematic and advantageous for the research. The problems stemmed from the fact that the fieldwork in Southshire was pre-Act, Spaybridge during the Act implementation, and West Patrick was post-Act, thus preventing a direct comparison between the

¹² For reviews on the relevant NTE literature on Scotland, Northern Ireland and Ireland see chapters by Elvins, McElrath, and Mairead and Maydock, respectively, in *Nightlife and Crime: Social Order and Governance in International Perspective*, Hadfield (ed) (2009).

¹³ The project was being funded by the Scottish Institute for Policing Research (SIPR).

¹⁴ *The Scotsman* 17/09/09, Scotland's alcohol problem: 'I drink to get out my face and fall asleep'

implementation and interpretation of national statutes and licensing guidelines between the three case study areas. Unfortunately this methodological issue remained unresolved and was an unavoidable consequence of the timing of the research. Although this comparative element was not formally integrated into the research design, taken in a positive light it allowed for an examination of the process of the new legislation being implemented on the ground and for a level of comparison between the effects of the old legislation and the new.

4.2.2 Selecting the case study sites

Selecting the case study sites involved several considerations. The first decision to be made was how many sites to include. The number of sites had to provide sufficient a comparative element making two sites being too few, whilst balancing depth with available time to conduct the research, making any more than four sites too many. With this criteria in mind, the decision to have three case study sites became relatively straightforward; three months were allocated for each case study site with one month leeway for fieldwork extensions, should they be necessary, and one month's to collate data and do preliminary analysis as the research progressed.

Less straightforward was the decision making process involved in selecting the actual case study sites. The decision was made that the case study locations should meet the following criteria which were devised to provide as much diversity as possible between sites. Firstly, since the NTE research in Scotland has so far been based in Glasgow (Forsyth, various; Mistral, et al. 2007), it was excluded as a potential site to avoid

repetition and provide original findings. Secondly, the three case study locations were to have a hierarchical size and population i.e. a medium sized city, a large town, and a small town. Finally, it was determined that the case study sites should be located in the areas covered by three different police force authorities, to determine whether the level of autonomy granted to local police forces creates different attitudes, approaches and experiences between forces in relation to the policing of the NTE. A list of potential sites matching these criteria was drawn up and then assessed using a combination of exploratory fieldwork (profiling of potential sites using secondary literature, internet searches and actual visits) to establish that each had relatively different NTEs (e.g. overall number of NTE venues), and socio-cultural and historical contexts.

The main limitations of choosing to structure my research in such multi-site comparison was the lack of depth that a single case study site could have potentially provided. For Herbert (1997) the advantages of intensive analysis of police actions in the confines of a single site outweighs the negatives; “depth trumps breadth” (ibid:7). However, as this project is focused on the impact of local specificities on police work – policing NTEs as opposed to policing *a* NTE – a multi-site comparison was both necessary and appropriate. One example of the differences that can be found between police work in separate case study comparisons is provided by Winlow and Hall (2006:163-179) who found that whilst a general pattern of what constituted police work in the NTE was identified, there were notable differences between the testimony of the officers working in the pseudo-named towns of ‘Scarville’, ‘Castleville’ and ‘Northville’. Whilst a multi-site comparative study has potentially more claim to a

generalizability of its findings than a single site study, I am by no means claiming that the findings presented here are representative for Scotland. However, as I hope to demonstrate, the findings from the three case study locations shared many of the characteristics that have been identified from various other NTE literature, suggesting that many of the findings are generalizable to an extent. However there is no way to definitively state that this is indeed the case.

4.2.3 Constructing a picture of the NTEs

Once preliminary police contact had been made in each of the case study locations (see section 4.3.1 below for fuller discussion of how initial police contact was established in each area) and the relevant person identified for me by a senior officer, a request was made for data relating to the crimes that were being recorded, how many, when and where from the hours of 6pm till 6am, and over the course of the 12 months that preceded the date of my initial ethnographic fieldwork (see 5.4 for a presentation of this data). All three case study sites provided via email a full Excel spreadsheet of the requested data as well as 'hotspot' mapping of concentration of crimes in the town/city centres, however there was variation in the extent and nature of the analysis that was provided. For example, Southshire provided no further analysis, West Patrick provided an 11 page document with full analysis of the data I requested (further maps, tables, graphs showing data at various scales, times and locations), and Spaybridge provided a report they had compiled in 2008 regarding city centre serious assaults, including its proximity to the major nightclubs in that area.

As well as the police based data sources a range of other secondary sources were gathered, including maps, national and local legislation, phone directories, and media sources. These were then used in collaboration with police qualitative data to map the contours of the local NTE. A presentation and summary of this data is provided in chapter five.

4.3 Qualitative research methods: semi-structured interviews and participant observation

The bulk of the research was based on the qualitative research methods of semi-structured interviews and participant observation and focused upon four primary groups of actors; employees of the licensed trade, private security providers, associated members or employees of the local authorities or regulating bodies, and the police.

4.3.1 Police interviews

The interview schedules for the police interviews were designed to allow officers to shed light on the issues raised by the literature, express their points of view, and to share their experiences and stories. The interviews were also a chance for me to enquire about incidents I may have witnessed during past participant observation sessions and to guide my focus for future participant observation sessions.

The interview schedule (see appendix 1) began with questions regarding their personal details, their experience, general perceptions of the police, and their motivations

behind joining. The questions would then move towards gathering their opinions on the NTE in the case study area to compare their opinions with the overall picture that I had established. I would then turn to asking them about their experience of front-line police work and how they negotiated the subjective and objective influences on their role. The next section asked the officers about their relations and cooperation with other NTE stakeholders to establish who, how and why these collaborations existed or not. At the end of each interview I would allow each officer a chance to reflect on their answers and the issues raised by the interview by finishing on a broad and open question regarding what they perceived to be as the central issues relating to the NTE context, police based issues or otherwise, and how this could potentially be remedied.

The interviews were primarily based on the experiences of front-line officers, however, due to the nature of police work, where tasks are assigned in a hierarchical nature, in order to fully understand the motivations and logic behind the front-line police work it was necessary to include officers of all ranks. While the core issues of the interview schedule were the same, the interview schedules for higher ranking officers had to be modified to reflect their role. For example, the interview schedule for sergeants were focussed more on their role as front-line resource managers and enquired as to how they balanced and modified priorities, delegated tasks, provided advice and guidance to their subordinates, and acted as a general overseer over the course of a NTE shift.

Modifications also had to be made to allow for questions to be incorporated regarding specific elements of the local NTEs that had been identified during the case study location selection process. Two prominent examples of this were the SACN operation

operating in Spaybridge and the large shopping centre that comprised the majority of the town centre in West Patrick. Regarding the former, a number of questions were centred on a 'before/after' style questions to assess what features were perceived to be of specific benefit to the front-line police. Focus was also given to the networked collaboration between stakeholders, the perceived success of such networking from a police perspective and what role the police played in creating and maintaining these networks as this networking was far more formalised than the other two case study sites.

A total of 22 police semi-structured tape recorded interviews were conducted during dayshift hours with a range of police ranks and length of service across the three sites. The recruitment of these interviewees was facilitated by a mid-ranking officer, either an Inspector (Southshire) or Sergeant (West Patrick and Spaybridge) who had been assigned to me by the Chief Constable of each force to act as my main contact and liaison. This 'gatekeeper' would facilitate my access to the other officers and resources I wanted to engage with, when it was within their power and when it was suitable for me to do so. With regards to interviews, I would be permitted to select a time and date to conduct them. As the interviews were with operational officers the interviews took place during the day-time when officers were less likely to be busy and in order to minimize the disruption to their working day. I would make it known to the gatekeeper officer, or whoever had been selected to act as my liaison in their stead, that I was seeking to interview a cross-range of ages, experiences and ranks, however, I was entirely dependent on who was available when I arrived at the station. In this sense the sampling was a cross between both convenience sampling and purposive

sampling. Table 1 below lists the number of officer interviews and their respective ranks:

Table 1: Number of police interviews by rank

Rank	Spaybridge	West Patrick	Southshire	Total
Superindendant		1		1
Chief Inspector			1	1
Inspector	1	1	1	3
Sergeant	2	3	2	7
Constable	4	2	4	10
Total	7	7	8	22

4.3.2 Non-police interviews

Due to the diversity of non-police interviews several interview schedules had to be devised. However, key themes were identified and present throughout. For example, it was essential to establish the role that each stakeholder, regardless of their position in the NTE, played in policing of the NTE. The remaining questions would then be focussed on encouraging them to expand upon how and why they enacted this policing role in relation to other stakeholders, particularly the police. Appendix 2 (interview with manager of a bar in the 'old town', West Patrick) is an example of a non-police interview.

A total of 26 non-police semi-structured interviews were also conducted over the three case study areas (see table 2 below). The recruitment of these non-police interviewees began with the Licensing Boards.

Table 2: Number of non-police interviews

Position	Spaybridge	West Patrick	Southshire	Total
Member of the Scottish Parliament			1	1
Licensing Board member	1		1	2
Licensing Standard Officer		1		1
Local Council member	1	2		3
Nightclub manager	2		1	3
Bar manager	2	2	2	6
Door staff/bouncer	2	1	1	4
Taxi rank steward			1	1
Volunteer street chaplain	1			1
Local anti-crime network rep.	1			1
Members of the Scottish Business Crime Centre [nationwide]			3	3
Total	10	6	7	26

As they have responsibility for the regulation of liquor (alcohol) in Scotland and exercise a quasi-judicial function¹⁵ their participation was deemed crucial. Furthermore, these Boards are made up of statutorily prescribed proportion of local authority councillors and a representative of the Board would potentially be able to provide an overview of the perception of numerous persons of the NTE in the area. Initial contact was made via a phone call. If willingness to participate was expressed this phone call was then followed by a more formal email providing a comprehensive explanation of the study, including a general project information sheet and a request to conduct an interview at a time and place of their choosing. In West Patrick the

¹⁵ For a comprehensive review of the historical development of alcohol (liquor) licensing in Scotland see Scottish Executive (2005a:25-28)

Licensing Board were unable to provide a direct representative, however this loss was offset by the inclusion of the Licensing Standard Officer¹⁶ (LSO) whose position granted them a similar overview of the role, purpose and goals of the licensing in the area.

Through the licensing board contacts there was a snowball sampling of contacts i.e. relevant contacts of other relevant persons associated in each area with municipal control and regulation of the licensed trade were requested in the form of a, “who do you recommend I speak to now?” question at the end of each interview. Contacts were also identified by viewing local council websites. Representatives from the local planning department, licensing board, crime reduction networks and MSPs were also included in the interviewing process.

Whilst I cultivated my contacts within the municipal control agencies, I also sought to widen my contact network to begin to include representatives from the licensed trade. Through my knowledge of the NTE gained whilst conducting research with the police and municipal regulatory agencies I had established who within the licensed trade would be more likely to be amenable to being interviewed. Initial contact was made via phone call during the day-time.

To achieve a cross-section of views and opinions the venues in the sites were categorised into one of three broad categories; nightclubs (venues with an

¹⁶ Introduced by the Licensing Act (Scotland) 2005, the role of the LSO was devised to provide “to interested persons information and guidance concerning the operation of the Act... supervise [its] compliance...[and] providing mediation services for the purpose of avoiding or resolving disputes or disagreements between the holders of the licences... and any other persons” (Licensing (Scotland) Act 2005, (asp 16), Part 2:14)

entertainment license and were generally open till 2am or 3am), 'style bars' which appeal to a young clientele and 'traditional bars' which appeal to an older clientele (as these venues shared the same type of license these categorisations were made subjectively by myself based on physical appearance, my own personal knowledge of the areas and information passed to me by the interviewees). Approaches were made to the managers/licencee of venues in these categories until at least one of each was included in each case study site¹⁷ and interviews were conducted onsite and during hours that suited them (all of these interviews were conducted during the day-time, between 11am and 5pm). Geographically the venues were within the main drinking circuits of the town i.e. were in or nearby what was considered to be the town/city centre and in close proximity to other NTE venues. From the venues that participated in the research, interviews with their employed door staff/bouncers proceeded. Interviews with them were conducted during working hours but were still early enough so as to not affect their duties as bouncers (e.g. 10pm before the venue became too busy).

Other agents who may also be classed as a 'capable guardian' – defined as being "anything, either a person or thing, that discourages crime from taking place" (Home Office, 2004:11) – were also approached to be involved in the research. These included taxi rank stewards and a volunteer street chaplain service, although these existed only in Southshire and Spaybridge respectively. The main methodological concern of using snowballing to recruit interviewees, as Beardsworth and Keil (1992) state, "such techniques cannot possibly claim to produce a statistically representative

¹⁷ Unfortunately I was unable to recruit a nightclub manager/licensee in West Patrick.

sample, since they rely upon the social contacts between individuals to trace additional respondents” (ibid:261). However, I believe this is partly offset by the fact that snowballing from a few police and non-police gatekeepers allowed for me to quickly establish a wide network of contacts in each case study area, and being able to support my approach to each new contact by reference from the previous, facilitated the speed of which I could conduct a number of interviews in the relatively short period of time available to research each case study area.

Another unavoidable methodological challenge I encountered was the variety of interviewees, with regards to their diverse perspectives on the NTE. Although the overall themes of the interviews were based around certain core issues, constructing several interview schedules involved familiarising myself with the diverse range of issues and perspectives I wanted to raise with the different interviewees. For example, switching between conducting an interview with a bouncer at 10pm in the back room of a nightclub, to interviewing a Chief Inspector in a police station at midday, required a level of mental dexterity and subject awareness. To help me in this process I followed certain good practice principles for all my interviews, such as being well prepared and professional for interviews including simple techniques like double checking recording equipment and being punctual.

Conducting the interviews I followed the stages of interviewing (Rubin and Rubin, 1995; Legard, et al., 2003) as a helpful point of reference. In the first stage of arrival it was essential to build rapport yet remain professional and respectful. A handshake, a warm smile, making eye contact and friendly non-research based conversation were

simple but useful measures in the crucial first moments. Having established a relationship and putting the interviewee at ease, the second stage involved reiterating the research topic, reaffirming their anonymity, and seeking permission to record the interview. The third stage is the commencement of the interview. I would generally open up with basic contextual questions, such as enquiring how long they had been in their particular position and then having them elaborate. This stage was crucial in order for the interviewee to recognise that their role is to 'open up' and the easiest way to do this is to ask questions on a subject matter that they are familiar with. This leads into the middle of the interview, where I would be guiding and probing the interviewee through the key themes – both those anticipated and those that emerged unexpectedly from an answer. The ending of the interview was signalled to the interviewee when the last section of questions were about to be asked to "allow the interviewee gradually to return to the level of everyday social interaction" (Legard, et al., 2003:146). A final question of 'is there anything you would like to add?' was included to grant the interviewee an opportunity to express anything they felt had not been covered or issues not raised. The final stage occurs after the digital recorder is turned off where I would again thank them for their participation, reassure them of the confidentiality of the interview, and field any questions they have had regarding the research project. I also left my details along with an information sheet about the project and informed them that they could request an interview transcript if they so wished and any subsequent publications from the research. Post-interview conversation was sometimes extended, and occasionally contained useful information, however, as this information was out with the interview 'contract' this information was not used in the data analysis.

4.3.3 Police participant observation

Combined with the interviews, participant observation sessions with the police also played a significant role in the fieldwork in order to provide a fuller understanding of the experience of front-line police work in the NTE and the “full sensory experience of being in a place” (Kearns, 2000:120). It was hoped that adopting such an approach would move the research away from a reliance on formalised interactions of the interviews and allow for observation of the spontaneity, diversity and richness of front-line police work; from separating quarrelling NTE patrons to tea and cigarette breaks and everything in between. These participant observation sessions were conducted during the same time period as the interviews, the experience of which also allowed me to both bridge the gap between the lived experience of what I witnessed first-hand and what was communicated to me as well as aiding me in fine-tuning the interview schedule in an iterative process.

In total 18 participant observation sessions with the police were conducted over a 12 month period and were focused specifically around peak NTE times of Friday and Saturday, beginning at 10pm and ending at 3:00am at the earliest and 5:45am at the latest. Upon arrival at the police stations at one of the three case study locations I would report to the nightshift Inspector or Sergeant and then attend the shift briefing with all the officers – including Special Constables and occasionally custody suite personnel and CCTV operators – to discuss shift priorities and any relevant information from other shifts. At the conclusion of this briefing the officers were assigned pairs,

vehicles, and their areas of the town to patrol of which I was either assigned to a particular pair or allowed to choose, depending on the emerging themes of the research that I wished to pursue further (see table 3 below).

Table 3: Number of hours spent conducting participant observation with the police

Type of patrol	Southshire	West Patrick	Spaybridge	Total
Foot patrol	5	6	7	18
Marked police vehicle	22	14	18	54
Unmarked police vehicle	4	5	0	9
Total	31	25	25	81

Like the police interviews, this represented a balance between convenience sampling and theoretical sampling.

Initially, note taking when conducting participant observation sessions was open-ended to an extent. However, this period was short-lived and the focus of the research quickly narrowed down as key themes emerging from the fieldwork sessions and from the interviews accumulated. In order to reduce the impact of my research on the officer's behaviour, note-taking was initially in the form of mental notes and then written in jotted form at the next available opportunity. Hadfield (2006) found it useful to record "events and snippets of conversation when fresh in my mind [to help] retain accuracy and nuance" (ibid:274) when conducting fieldwork in the NTE context and would who often 'retire to the toilet' in order to take covert notes. However, the luxury of 'retiring to the toilet' to write up notes was rarely available to me other than during officers' dinner/tea break. Therefore, the majority of note-taking I engaged in took place in the back of the van, or standing to one side during an incident. When

such an opportunity was not available or appropriate I would try to write up immediately on the following day, as generally I would be too tired to do so when I got back home at the end of a shift.

Supplementing these police based participant observation sessions were a series of informal 'conversations with a purpose' with CCTV operators in all three case study areas. I also engaged in other informal fieldwork activities, including; spending a nightshift with the local hospital A&E Department in Southshire, talking to staff and observing the admissions during the course of a Friday night; observing an open license review hearing being held by the Licensing Board of Southshire, and; observing a Licensing Forum¹⁸ session in West Patrick. The purpose of all of these was to increase my general knowledge of the licensing process in Scotland, engage with a wide variety of NTE stakeholders and gather background to the variety and extent of issues relating to the NTE in those areas.

4.3.4 Challenges of recruitment and formal access

When approaching the police for permission to have access to their personnel and resources I was aware of the documented history of suspicion towards outside researchers (Reiner, 1992) and the potential danger of barriers against 'outsiders' and endeavour to present favourable images to the extent of mystifying or even 'lying'

¹⁸ The Licensing Forums were created by the Licensing (Scotland) Act 2005. Their membership is to include representatives for the licensed trade, local health service, young persons, the LSO and the police Licensing Sergeant. Their function is to keep under review "the operation of this Act in the Forum's area, and, in particular, the exercise by the relevant Licensing Board or Boards of their functions, and give such advice and [make] recommendations" (Licensing (Scotland) Act 2005, (asp 16) Part 2:10).

(Manning, 1974). With previous studies revealing examples of police violence (Westley, 1953), racism (Holdaway, 1994), sexism (Reiner, 1992) and corruption (Punch, 1985) it is perhaps little wonder why some police forces and officers are inherently suspicious of outside research. However, I was pleased to find that this was not the case with my research. My affiliation with SIPR proved to be most useful as the Institute has excellent links to many key police stakeholders, including Chief Constables. The Chief Constables I approached were aware that the Institute is based on being “a strategic *collaboration*” (<http://www.sipr.ac.uk/>, accessed on 05/10/10, added emphasis), highlighting the potential benefits that collaboration between academics and practitioners, such as my research project can bring. By making my initial contact with the police forces by ‘going in at the top’ and approaching Chief Constables directly, I found no opposition to my request for access at any of the three case study sites. The hierarchical structure of the police meant that once I had been granted approval for my research at the top level the process of access to the lower ranks was a lot more straightforward. As Punch has found out, as much as bureaucratic structures, such as those in the police, can hinder access they can also help it and can “work for you and organize things for you that can greatly facilitate fieldwork” (1979:15).

4.3.5 Analysing the data: theoretical frameworks and coding practices

‘Grounded theory’, the most common analytical framework of qualitative researchers, was the theoretical framework utilised for my data analyses. I coded interviews at the next available opportunity after completion to gain initial impressions of the data and

generate as many new ideas and thoughts as I possibly could (see appendix 3). In this sense, I followed one of the central tenets of grounded theory; that the process of data collection and analysis occur in parallel (Glaser and Strauss, 1967; updated by Charmaz, 2000; 2006) and is an “ongoing process rather than a distinct and single stage” (Bryman, 2001:302). This process also allowed me to modify the interview schedule and remove questions that appeared to be irrelevant or unnecessary.

A basic set of initial themes regarding the influences on police work (e.g. Herbert’s (1997) ‘normative orders’ and Reiner’s (2010) ‘cop culture’) had been derived from the literature review. These themes were then developed and added to in the form of more themes and subthemes by conducting meticulous, line-by-line reading of interview transcripts and fieldnotes to look for processes, actions, assumptions, and consequences (initial coding). Gradually a codebook containing an organised list of codes was developed which included a detailed description of each code, inclusion/exclusion criteria, and various examples of these codes. During this process, codes were re-evaluated, with some modified, some merged, and some dropped altogether.

Focus was then given to relating the codes (categories and properties) to each other via a combination of inductive and deductive thinking (axial coding). This process was achieved manually by cutting out codes from printed out interview transcripts and placed together in new ways to make new connections between them and to emphasize causal relationships. By using selective coding, core categories and central themes were established which subcategories were then linked to.

A coding tree/model, where codes and the relationships between them were established and developed, was gradually built up. While the model that developed appeared to show a strong correlation between the literature and my data, I also used negative case analysis to identify problems and make appropriate revisions. For example, after reviewing the literature and returning to the research questions, it became apparent that there were contradictory analytical codes and themes emerging from my research; a commonly cited desire by many officers was to have a 'quiet night' contradicted much of the 'cop culture' literature which emphasizes the machismo nature of police work. It was from here that the theme of a specific cop culture of the NTE was developed.

On a practical level the focus is on refinement of ideas and concepts until theoretical saturation is achieved, rather than boosting overall sample size which is particularly helpful when dealing with large volumes of data such as that which was produced by this research. One of the main difficulties of this research, and qualitative research in general, is the large volume of data it produces due to being based on prose in the form of interview transcripts and fieldwork notes. Miles (1979) described qualitative data as an 'attractive nuisance', in that such data is "rich, full, earthy, holistic, 'real' [but] even for the top-quality research staff... the sheer range of phenomena to be observed, the recorded volume of notes, the time required for write-up, coding, and analysis can all become overwhelming" (ibid:590). By using an iterative process I was able to work with the data as it was being created as opposed to attempting the much more challenging task of dealing the data *en masse* at the end of the fieldwork.

However, there are issues with analysing the data in such a way. Cope (2003) suggests that presenting some of the coded data back to the participants in the research to ascertain if they find it accurate is a good way of reviewing interpretations made of the data. Due to time restraints imposed by the distances needed to travel to the case study sites, this was a luxury I was unable to afford. Coding in this way also risks fragmenting data, potentially losing the narrative flow of what people are saying (Coffey and Atkinson, 1996). I have attempted to address this to an extent by providing the above vignettes and by including fieldnote excerpts throughout the thesis, however, an element of fragmentation appears to be unavoidable when using such coding methods. It is hoped that it is clear why the advantages of such a method outweigh the negatives.

4.4 Undertaking police based ethnography: the dynamics of ethnographic encounters

In 1970 Gouldner called for a 'reflexive sociology', whereby it is just as important for the analytical and critical gaze to be turned onto the subject conducting the enquiry (the researcher) as much as the object of the enquiry (the researched), yet despite many of the lessons learned from the critical reaction to positivism there still remains a tendency in academic writings to present research as 'clean' and 'unproblematic'. As the excerpt from my fieldnotes below demonstrates, the reality is far 'messier':

The Sergeant who is finishing up for the night radios in to the nightshift Sergeant announcing my presence and desire to go out with the shift – his response comes across the radio as “I

can't be bothered with that shite, I don't have the patience tonight" to which the Sergeant laughs and makes a comment to me regarding his colleagues' comments as being typical of the man, and interjects to inform him that I am next to him in the room to which there is no response (notes from field diary, 22/05/09, Spaybridge)

Examples such as the one above are more often than not left out of "published accounts of fieldwork [which] are invariably cleansed of the 'private' going-on between the researcher and the researched" (Pearson, 1993:vii). This is true for the majority of social sciences, including police studies, as Norris has commented:

Although there is now a growing body of observational studies on the police, there are few accounts which describe how the studies were conducted, and, in particular, how the ethical problems of the field-work were managed (Norris, 1993:124).

The next two sections follow Gouldner's call for reflexivity and discuss the moral and ethical considerations, many of which remained definitely unresolved, that arose as a result of conducting fieldwork with the police.

4.4.1 Constructing the researcher role in the short-term

One such 'messy' issue raised during my fieldwork was the complex process of traversing the "mine-field of social defenses" of informal access to police officers as I tried reaching the "inner reality of police work" (Punch, 1979:4). Many of the issues regarding access to the police during participant observation can be broken down into two sections; gaining access on the short-term 'day-to-day' reality, and the medium/long-term 'relationship' building through sustained access. As Gold (1958) has pointed out, 'participant observation' is a catch-all term that covers a continuum

from complete participation through to complete observer, but with the police, unlike other social occupational groups, there are legally defined limits to which one can become a participant when researching the police. Van Maanen (1978) has noted that most participant observation research conducted with the police is carried out from the position of the 'fan' but with movement between a variety of perspectives (see figure 2 below):

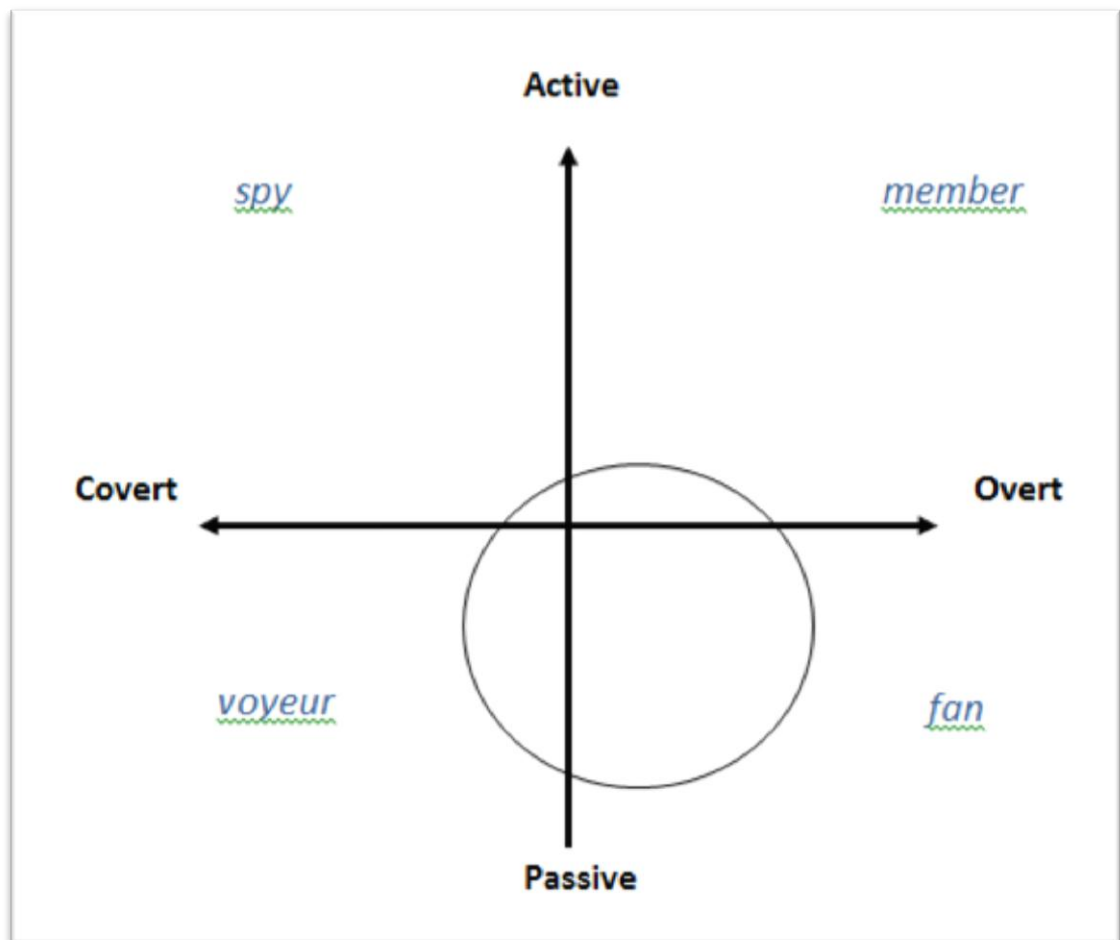


Figure 2: Types of participant observer roles (adapted from Van Maanen, 1978:344)

The circle in the above diagram represents where I was positioned for the majority of the research. However, although predominately from the 'fan' perspective, such as when I would attend incidents with officers and passively observe events and

interactions, the positions were not static and were constantly being negotiated and redefined on a context specific basis. At stages during my research I also moved between all four of these perspectives: covertly taking notes in the back of the police van or whilst hiding in the toilet in the police station I felt like a 'spy'; listening to the communications between officers who were not aware of my presence on a police radio I felt like a 'voyeur'; during the occasions when members of the public would assume that I was a police officer and interacted with me as such made me feel like a 'member'. This last position, as an active and overt 'member', I found to be the most problematic and hardest to negotiate. There were several occasions when I would become involved, wittingly or not, in some aspect of policing the NTE:

A call comes through that a notorious troublemaker who is out on a warrant has been spotted on CCTV not far from our location. The man is known to our officers so they speed round to the reported location, joining another foot patrol that is also in pursuit. The man has been spotted going into a block of houses close to the city centre so we get out and investigate. Two residents exit one of the buildings and are quizzed by the officers to see if they have any knowledge of their suspect. During this questioning, I spot someone matching the description of the suspect exit the same house that of the locals being questioned had stated they were the only resident of. Unsure of what to do I chose not to interject into the officers' questioning but once they finish searching and questioning I confess what I witnessed, to which the officer replied "looks like we have been hoodwinked!" (notes from field diary, 22/05/09, Spaybridge).

Riding in the back of the police van I spot a man urinating in the entrance of one of the shops in the town centre, without forethought I instinctively blurt out what I have witnessed to the officers, an action I immediately regret interfering directly with police work. The Sergeant tells the other officer to get his Fixed Penalty Notice book at the ready and we pull over the van, however the one way road system means that by the time they can pull over the individual in question has left the scene. I feel relieved that my unplanned and ill-advised interference has not led to any further action being taken (notes from field diary, 20/03/10, West Patrick).

Above are two examples of when I was a 'member' but in two different scenarios in which my (in)actions had two differing outcomes. With the first scenario I held back knowledge that I suspected could have been useful to the officers. Given the circumstances I believed that to interject could have been interpreted as unwanted interference and would run contrary to my attempts to construct my role as a passive 'fan' i.e. being a participant *observer*. However, had I passed on this knowledge I could have assisted in the capturing of a wanted person which may have raised my profile with the officers, potentially increasing their trust of me, thus facilitating my research. With the second scenario I instinctively called out when I witnessed someone committing a minor public offence. Although the officers expressed no disapproval of my actions (and arguably were happy for something to do on what was a quiet shift) it was clearly an example of me becoming overly involved in the role, represented me straying too far towards being a 'member' and at risk of 'going native' i.e. being a *participant* observer. Ultimately, during the fieldwork there were constant negotiations across these roles and this highlights that the boundaries of the Van Maanen model can be very hard to define in the 'day-to-day' reality of fieldwork.

4.4.2 Constructing the researcher role in the medium/long term

Janes (1961) has discussed how the level of 'access', and therefore the quality of data, that is granted to a participant observer is directly correspondent to the length of time one spends conducting the research. According to Janes, such access is achieved in 'stages' as the researcher's perceived role in a 'community' progressively evolves and

is redefined, ranging from 'newcomer' through to 'imminent migrant' (see figure 3 below).

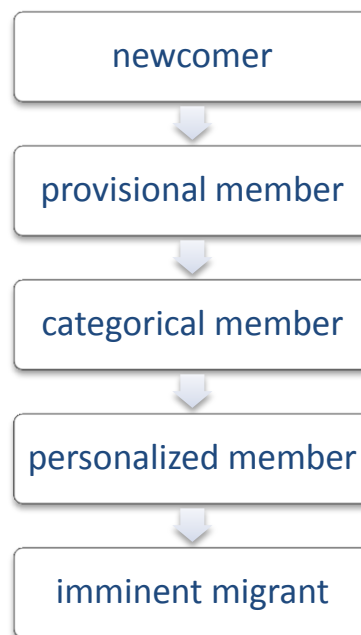


Figure 3: 'Stages' of redefinition of the participant observer (adapted from Janes, 1961)

In this model, in order for the researcher to achieve “rapport” with the community being observed and secure the “maximum of useful information with a minimum of effort” (ibid:447), the researcher has to travel through these stages. When this model is applied to my time spent with the police during the fieldwork a similar pattern was observed. In general, in all three case study areas the longer I spent conducting research in a particular area the more I became trusted and the more unguarded information I was told or witnessed. Like Janes, in general I found the ‘newcomer’ stage – the time from my initial contact with the force explaining the research and requesting access, up to and including conducting my first ethnographic session –

ended relatively quickly. When I went out with the shift most officers had heard of me through word-of-mouth or via an email issued by their supervising officer. However some officers had never heard of me, regardless of time spent in the area, and to their mind I was still a 'newcomer' and treated with guarded responses. During the 'provisional member' stage numerous questions were asked as to the purpose of the research and my personal beliefs regarding the police and the job they were doing. My views on the specific case study areas were also sought and officers would often use this as a lead into a conversation on their specific views on the area, including their views on the police force, fellow officers and the local area itself. 'Categorical member' formed the longest period of fieldwork. During this stage many of the officers had come to the conclusion that my research aims were legitimate and potentially beneficial to their interests. The street-level officers saw it as a chance to have their opinions noted and given expression, and the senior officers were attracted to evidence-based research findings, and as such officers from all ranks appeared to give extensive answers to any questions and also volunteered much information.

The progression to the 'personalized member' phase was less uniform and was only present in the Southshire case study site due to the site being my place of birth and my father being a police officer in the area. This is partially explained by 'social circles' which are, according to Janes, the "local social unit that was the actual agent of the redefinition of the various phases" (ibid:450) that are informal communication networks that exchange information regarding their community and the pace of redefinition of the stages of community engagement varies between these social circles. This personal connection I had with the area and with my father being an

officer seemed to bestow upon me a level of trust that took longer cultivate in the other two case study sites. I rarely stated this information when conducting the fieldwork in Southshire for fear of compromising the independence of the research, however, it would only take one officer to discover this information and then I would be introduced as “this is the son of...” for the remainder of the shift to any officers I came into contact with. This information seemed to be used as a way for the officers to confirm to each other that I could be trusted. In the other case study locations this personal connection did not exist and the ‘personalized member’ stage was never as pronounced.

The ‘imminent migrant’ stage existed in all three case study areas and created some interesting dilemmas to contend with due to the high interest in my intentions for the data collected. Despite the assurances of anonymity I made to everyone involved in the research one officer was keen to stress how he did not want to be mentioned in any report at the end of the shift I spent with him¹⁹ despite not having done anything that could be considered ‘questionable’ conduct. However, far more common than this reaction was the exact opposite; officers saw the potential usefulness that my research could have and were extremely keen that my findings were transmitted up the chain of command in a way that they felt unable to do. Furthermore, I was surprised by many of the officers’ open candour regarding their jobs, the role of the police and their fellow officers, and their readiness (and seeming delight), in revealing

¹⁹ This was the only example of such a request being made and was, of course, entirely honoured. Participants were also offered the chance to review any interviews/fieldnotes taken and access any publications before they were to be printed but again no such request were made.

glimpse of their subculture, something that other police researchers have also noted (Punch, 1989).

Overall Janes (1961) theoretical framework of 'stages' of rapport of the participant observer and the researched was a useful starting point to discussing my experience with the police, although the reality is that social relations are more dynamic than any straightforward progression and are also context specific (e.g. the differing attitudes towards me in Southshire when compared to the other case study locations due to my personal connection to a member of the local police force). I would also add that conducting fieldwork with police in the intense arena of street-level policing in the NTE provides a condensed version of this progression. After spending six hours it was not uncommon for the entire range of 'stages' to be experienced, although admittedly not in as much depth as would be the case with prolonged participant observation sessions.

4.5 Reflections on the ethics of NTE research

As the definition and role of the 'participant observer' constantly shifts and evolves in police research, so too does the shape of the ethical considerations. Regarding his work spend conducting research with the police, Norris (1993) summarises some of these issues into three broad categories; informed consent, privacy, and deceit and trust. The table below (table 4) highlights how the role he constructed as a covert police participant observer "undermined many standard ethical considerations" (ibid:127) and is a useful framework from which to review my research with the police:

Table 4: The degree to which the research complied or contravened standard ethical considerations (adapted from Norris, 1993:128)

	Police	Public
Was the principle of informed consent adhered to?	Theoretically: yes Practically: no	Generally: no Sometimes: yes
Was the research subjects' right to privacy undermined?	Generally: no Sometimes: yes	Generally: yes
Were the research subjects deceived by the researcher?	Generally: no Sometimes: yes	Generally: yes

4.5.1 Informed consent

The principles of informed consent, whereby the research subjects are fully aware of the nature and purpose of the research and can freely participate or abstain, were not always adhered to with my research. With the police I was open and frank with the reason for my research and happy to field any questions which were asked of me. I always raised the point that total anonymity was granted to the officers and that they could ask me to not accompany them to any incidents if they decided or opt out of me shadowing them altogether. This first point was never a problem, however, and officers seemed to have an attitude of 'if you're prepared to come along, then that's fine with me'. The issue of granting consent was more problematic. The shift Sergeant would often inform the officers I was accompanying them and although they may have been chosen because they were more likely to be agreeable to my presence there, it was still an order from a superior officer which they may have not wanted to, or have been able to, dispute.

Like Norris, the issue of informed consent with the public was “completely disregarded” but also like him this was a “purely pragmatic decision” (ibid:130). For example, to arrive at the scene of a fight and to then proceed to interject for the purposes of explaining the principles of informed consent was simply not practical. In the more common mundane public-police interactions, such as speaking to bar managers, talking to NTE patrons, etc, where it would have been possible to gain informed consent, I very rarely took the opportunity to do so for fear of ‘observer effect’ (i.e. people acting differently as a result of a researcher or using me as a witness to any wrongdoing of the police). In general, then, unless asked directly I did not declare my role as a researcher, however, it was often done so by the accompanying officers. At various points during the research I was introduced as being C.I.D. officer, plain clothes officer, a reporter and a researcher from “the university”. During one occasion a member of the public asked who I was and before I had the chance to respond the officer interjected “he is the boss man, so you had better beware!” Indeed, it seemed that the default position by the public was that I was a *de facto* police officer in their eyes and was often treated as such. An example of the public’s attitude towards me is highlighted by this incident:

The town has remained busy for the duration of the shift so far and dozens of people are leaving the club, many to join the taxi queue directly outside the exit. While the officers are standing there the two officers are unwillingly engaged in conversation with a drunken patron of the NTE. Meanwhile, I am approached by a man who believes me to be a member of the police. He informs me that another man is lying in a pool of blood after being assaulted and I should do something about it. It is left to me to inform the actual police officers of the on-going incident (notes from field diary, 18/07/08, Southshire).

4.5.2 Privacy

Some of the issues raised in the previous section on ‘informed consent’ links into the second issue Norris discusses in table 4, the issue of privacy. In similar circumstances to me, Norris found that “both by default and design, the public often believed or were led to believe that I was a police officer. Under such pretences, I entered their houses and witnessed the most private of scenes” (ibid:131). During my time spent with the police I witnessed victims of domestic abuse, severe injuries as a result of interpersonal violence, numerous persons intoxicated to the point of unconsciousness, and persons threatening and attempting suicide. Some of these incidents provided data for my research and while all information was completely anonymised, none of these individuals were granted the right to control often highly sensitised information about themselves. I found this issue to be an especially challenging aspect of the fieldwork and one which I was unable to satisfactorily resolve.

I also invaded the privacy of the officers I was researching by entering their places of work and observing them. During this time I was also privy to a lot of highly personal information about the officers themselves and their colleagues, sometimes provided with extensive details of other people’s lives. Although none of this was recorded or used in the research it provided me with insights into the nature and strains of the job.

4.5.3 Deceit and truth

A significant challenge to the participant observer is to cultivate trust and, ironically, this is done by being, in part, deceitful. In order to cultivate informants and lessen the distance between the researched and the researcher it is often necessary to emphasize similarity and downplay difference. For instance, after becoming more familiar with the police argot I would use police acronyms in my language as a way of indicating that, to some extent, I shared their police-based perspective. At various times during the fieldwork I would also chose to hide or modify my personal politics or opinions to better mirror those of the officers whose company I was in. For example, despite being a non-smoker, during the course of one shift I joined an officer in his illicit cigarette breaks which were conducted during his working hours in areas of the town that were known to have no CCTV coverage or none within the public view. Norris has also noted that manufacturing of trust also requires “getting one’s hands dirty [as] trust in the police world is more commonplace and mundane” (ibid:132) and whilst I did not get involved as Norris and other covert participant observers have done in the past (Herbert, 1997; Marks, 2004) , I did get my ‘hands dirty’ at times, albeit in relatively minor ways such as when I helped officers to carry intoxicated persons into their houses or when I kept a look out for a fleeing suspects on behalf of officers. Small gestures such as these, added to a promise of complete anonymity, were all important in manufacturing trust, something that is particularly important when researching the police, historically a secretive organisation (Bittner, 1970; Rubenstein, 1973; Manning, 1974).

4.6 Summary

In discussing the methodologies of the NTE based literature it becomes apparent that there is a preference for qualitative research methods which is often augmented by secondary data and quantitative analysis. The reasoning behind such multi-method approaches is that broad methodologies are required in order to adequately capture the complex social reality of the NTE with its many structures, agents and local specificities. My research methodology followed this multi-method approach, however, there are some aspects that set it apart from the contemporary literature to offers a fresh perspective.

Firstly, most NTE studies have either chosen to focus on one specific case study site thus seeking depth over breadth, or when using multiple sites, have sought to highlight generalisations. My research has focussed on three very different case study sites in a direct comparative study to identify generalisations across different sites (i.e. the NTE), but has also developed a sustained examination of the local specificities (i.e. the NTEs). Second, the research is based in Scotland where historically there has been a paucity of NTE related research. The timing of this research coincides with major changes to the overall context of the NTE in the country, including the biggest shakeup in the national legislation regarding the sale of alcohol for 30 years (Licensing (Scotland) Act 2005), the recent introduction and possible future deconstruction of the Security Industry Authority²⁰ (SIA), and a devolved national government that perceives alcohol consumption – the primary commodity of the NTE – to be “the problem of our time”

²⁰ ‘Strathclyde’s House warns that ‘disastrous’ quango bonfire could undermine fight against crime’, in *The Herald*, 16/10/10.

(Kenny MacAskill, Scottish Government Cabinet Secretary for Justice, quoted in Elvins, 2009:51). Finally, the lack of a sustained examination of the view of policing the NTE from the police's perspective is perhaps the most significant gap in the NTE literature that is addressed by this research project. Many NTE studies contain mention of the role of the police, yet their role is often taken-for-granted or their importance downplayed. By focussing on the police, and using qualitative methods to do so, my work also sits in the history of police ethnographies, something which Punch believes is in short supply:

The field [of policing] was built on a set of ethnographies from the sixties and seventies which are not only dated but which focused primarily on patrol work in the rough areas of large cities. There is a need for a new generation of ethnographers scrutinising detective work, specialised units, rural policing, small town policing (Punch, 2003; quoted in Marks 2004:866).

Despite Punch's assessment, I would agree with Marks (2004) in that "there are a number of significant police ethnographies that have been done in the past 15 years" (ibid:866), some of which are discussed above. However, police research is no longer 'built' upon such research, despite the insights that arguably can only be garnered from qualitative methods such as ethnographic research. By using the methodology discussed in this chapter my research has gone some way to addressing this shortcoming.

Chapters two, three and four have provided an outline of the conceptual framework and chosen methodology of the thesis in the context of the relevant literature. The

remainder of the thesis is focussed on presenting and discussing the findings of the research.

Chapter Five: Placing policing - introducing the case study areas

As discussed in chapter three, policing and context are inherently linked; “policing cannot be understood in isolation from the context in which it, quite literally, takes place” (Fyfe, 1991:265). Therefore, in order to explain and understand the role of the police in the NTE context it is essential to first provide the context of the case study locations of the pseudo-named towns of Southshire, West Patrick and Spaybridge²¹. In this chapter, then, the physical layout and socio/cultural/economic histories that are relevant to their respective NTEs are mapped out. Included in these descriptions are inventories of the frontline resources that are available to police and the spatial organization of those resources. To provide a further sense of these case study locations, each summary is followed by short vignettes taken from field-notes gathered during participant observation sessions with the police in order to convey a sense of a ‘typical’²² weekend night from the perspective of the police.

²¹ The decision to use pseudo-names was primarily an ethical one. With the NTE environment often characterised by abnormally high levels of violence, disorder and drunkenness, the findings from this study could have been damaging to the reputation of towns and city involved. In times where fear of crime remaining stubbornly high (Scottish Government, 2011), the decision was also designed to avoid any such harmful side-effects. Pseudo-names also provided another level protection to specific individuals on top of the anonymity of their names which was already offered. The use of pseudo-names for potentially damaging NTE based research findings has also been used by Lister, et al. 2000, and Winlow and Hall, 2006.

²² Clearly there is no such thing as a ‘typical’ shift. Indeed, this unpredictability is both an attraction for some officers who like the fact that ‘every day is different’, but also a problem for judging what is an appropriate level of front-line resources to provide in order to police the NTE.

5.1 Southshire

The rural town of Southshire has a population of approximately 40,000 people and is the regional capital. The past few years have seen various schemes designed to raise the profile of the town centre, including the ‘Town Centre Strategy and Action Plan’ which was designed to create a series of ambitious joined up proposals to regenerate the town. Their stated goal is to promote business, culture, leisure and tourism in the town.

5.1.1 The NTE

Because of the rural nature of the surrounding area, Southshire offers the largest and most diverse NTE in the region (i.e. the most licensed on-sale venues in the area). Anecdotal evidence from various NTE stakeholders suggests that it draws a significant portion of its patrons from other parts of the region. An officer who had spent 15 years away from front-line police described his experience as thus:

I found a huge difference coming back what with later licensing hours, the age of folk going out had dropped much lower and it was certainly much busier than what it was (Southshire police officer).

In Southshire the NTE venues are spread across the town and are not concentrated in specific areas, arguably fitting the model of a ‘dispersed’ NTE (Tiesdell and Slater, 2006) (see map 5.1). There is anecdotal evidence to suggest that the town’s NTE has also been affected by the town’s wider financial problems. Many stakeholders also believe there has been a loss of clientele to other NTEs, particularly a nearby city which

is 30 minute bus or train journey from Southshire and offers significantly more choice of venues for NTE patrons. However, according to many of the stakeholders, the size of the NTE in Southshire is adequate and does not need a further expansion as it is already disproportionately large for the size of the local population. This sentiment is shared by the Licensing Board which has made 'overprovision' the main reason behind any rejections for new licenses in the town centre:

The last few public house licenses we have had in applying for new premises have been refused on the grounds of due to overprovision. I do think that they treat each application on its own merits and if they think that it is possibly not going to be good for the town then they will say 'no'. I also think that they will get a new application they will have their constituents canvassing them, 'why are we doing this, we really have enough licensed premises in the town' and I actually believe that we have got enough, you have a wide variety of pubs designed for older people to just go and relax, you have got your [name of pub] which is a Wetherspoons, and they are all very different with a fairly good variety I would say (Southshire Licensing Board Representative).

The local police and licensing board have come to believe that fast food takeaway venues are potential public disorder 'hotspots' as they discourage dispersal from the town centre when the licensed premises have closed. As a result, food-outlets have had their trading hours curtailed; a collection of mobile fast food vans that congregated in a main car park in the town were refused an operating license and remaining venues in the town had their closing times brought forward to 1am to avoid attracting post-entertainment NTE patrons.

Public transport that serves the town is limited to evening buses that finish at approximately 11pm. Southshire has two main designated taxi ranks operating during

the NTE, one of which has an office and stewarding system operating, whilst the other only has an office. Two non-stewarded ranks are at the immediate exit of two of the town's main nightclubs.

The local Pubwatch scheme is characterised by low attendance by licensees despite the attempts by the local licensing at encouraging participation in the scheme. Although information on banned persons was distributed by the police to all the licensed premises in Southshire, the utilisation of this information was varied, resulting in the exclusionary coverage of the scheme being patchy and unevenly distributed across specific locations and venues in the town. The scheme is now largely considered to be defunct by the majority of stakeholders.

Map 1 Location of licensed premises in Southshire (as of 05/07/08)



5.1.2 The spatial organisation of police work in Southshire

The police force that serves Southshire covers an area of almost 2,500 square miles. Covering an area that has 148,000 residents, the force is divided into two operational divisions; 'West Division' and 'East Division'. Southshire case study site represents the largest population concentration (the next largest being about 10,000) of the area. The policing of Southshire town centre is managed from two main sites; the main police station which is located in the town centre in close vicinity to the pubs and clubs of the town and houses the custody facility and cells (ten male, three female and two observation cells), CCTV operator, and the other associated facilities for the effective day-to-day running of the shifts. The other is the Force Communication Centre (FCC) for the whole of the force area and is located on the outskirts of the town centre, and handles all incoming calls for the area. As Southshire represents the largest urban population centre in the area it accordingly has the highest concentration of police resources (personnel, vehicles, cells etc.) but as a force it has one of the lowest numbers of officers in Scotland.

Disregarding personnel abstractions (personnel training, sickness, holidays, maternity leave, etc.), during the peak NTE hours in the town the maximum frontline resources available consists of: one Inspector who is the most senior officer for the entire force during a nightshift and is generally located either in the police station or on occasion out on foot patrol if required/desired; one Sergeant who provides a 'hands-on' approach to the running of the shift and prioritizes the calls coming in from the FCC

and allocates resources to respond accordingly, all whilst being out on foot patrol in the town centre or in a vehicle; and eight other officers who are paired up in vehicles or foot patrol. Using the river in the town as a natural division line, the vehicles are assigned to cover the north west or the south east sides of the town, or to be 'floating' in between the two areas able to respond to calls themselves or provide back-up to the other officers.

During peak NTE times, or randomly busy other nights, officers from the late-shift are requested to stay on to provide cover and bolster the numbers, until 2am, with the option to do overtime past that. As well as this, the force has a pool of 87 registered Special Constables that volunteer on a regular basis. Their presence is mostly required for bolstering police presence during large scale public events e.g. football games and local festivals, but they also play a significant role during the NTE with anything from one to four specials joining the nightshift during peak NTE times. At nightclub closing time (3:00am) all available police resources are pulled into the town centre and are mainly situated outside the exits to the three main nightclubs, two of which also have taxi ranks situated next to them. At least two pairs of officers 'float' between the clubs and monitor the intermediate streets and pedestrianized town centre and at least one police vehicle 'sweeps' the town centre intermittently.

5.1.3 Notes from the frontline

Fieldnotes 18/07/08

It is Saturday night and although it is cold the night is clear, fresh and dry. Early in the evening Scotland had been playing a crucial World Cup qualifier and many

people had stayed on to drink in pubs after the game. After the briefing I am assigned to two male officers, one older and one probationer, to cover the North West of the town. An officer commented to me: "You pray for rain on a night like this" [police officers often commented that proportionally large numbers of congregating people in public spaces was undesirable for the police as it is a common factor in higher rates of public disorder. Bad weather forced people to 'go home' instead of congregating]

11:05pm. Already the shift has the feeling of being what officers often refer to as 'a busy one'. Normally at this time of the night calls are few and far between or are relating to events that are situated to the town periphery i.e. house parties, noise disturbances, anti-social behaviour, under-age drinking but the radio is constantly providing information of new incidents that the various vans, cars and foot-patrol officers get sent to. The officers I am with get sent to the local sports club where a fight has broken out. Another car is there before them but the van is needed in order to take them into the station. A young male is face down on the car park floor with an officer on top of him after [I was told] he physically resisted arrest. Once back at the station the youth calms down and, despite being heavily intoxicated, co-operated with the custody officers. He will be charged with Breach of the Peace and detained for the night.

11:30pm. Not long back out on the street and the officers are called to another disturbance outside a large pub round the corner from the station. When they arrive the stewards are totally oblivious that something has happened. It turns out the 999 call was made round the corner where the altercation has already happened and has already been attended to by the shift Sergeant. A young woman has been detained whom I recognise as being someone I have seen detained before on a previous observational visit. When I inform the officers later in the shift they state that they regularly see the same people being arrested and some people are infamous for causing the police low level annoyances and that she is a perfect example of this. While the officers are dealing with this case other officers are queuing outside the custody suite, which is small and narrow

creating a cramped situation for those waiting to process their arrestees. The officers comment that these are far from ideal conditions to detain a person, particularly if they are being aggressive or troublesome in any way. Luckily the arrestee is compliant and co-operative (just as she was the first time I witnessed her being arrested) and she is quickly processed (although the process still takes an average of 15 minutes).

12:30am. *CCTV directs the officers to a call where a fight is happening. They arrive on the scene and two youths are struggling with each other on the ground. It becomes apparent that the two lads are friends and it was a play fight which they immediately break-off on our arrival. They are approximately 15 to 16 years old but are heavily intoxicated. The officers send them on their separate ways with no charge.*

1:35am. *A call has been received from a woman reporting her son missing. I have been to this location before with another shift for the exact same reason. The woman is agitated and un-cooperative despite her being the one who summoned us. After a brief, and largely unproductive conversation, the officers are on their way. The missing youth is well known to the officers as being a repeat offender for such truancy, but the officers admit that there is little to no chance of catching him tonight as he is most likely to be at a friend's house and they cannot spend their limited resources chasing him up.*

2:00am. *Attending call where man reports being threatened and his house has been vandalised. The man's house has had four windows broken, the largest being the living room which has been broken by a piece of scaffolding walk way approximately 6ft long and a foot wide and is lying inside the living room surrounded by broken glass. The man is clearly upset by this and without being prompted to do so keeps repeating that he has no idea who has done it and why, which raises the suspicion of the officers that he knows exactly why this has been done. With some further probing it materialises that he is the key witness to a machete attack, the perpetrator of which was recently jailed. The officers quickly*

check the surrounding area for anyone who may have committed the offence but to no avail. The best they can do is take a statement from the man, phone for the on-call joiner but then have to leave despite his requests for us to stay. Whilst explaining their position to the man the Constable remarks; "It's a Saturday night man, we can't do that. The clubs are about to spill out so we gotta be in the town centre."

3:15am. *The officers are assigned to [name of nightclub] for closing time, positioned at the top of the street watching everyone coming out as well as the taxi queue. A large fight breaks in the middle of the crowded street and the officers sprint to the scene. The overall scene is one of chaos. People are everywhere; it is unclear who started what, who is injured and who should be arrested. In seconds it seems like the entire shift is on the scene with cars and yellow jackets everywhere. One man is immediately arrested and put in the back of the van and left there whilst the scene is surveyed and the officers can figure out what happened. Raised voices and visibly charged emotions from the members of the public makes it hard for the officers to successfully garner any further information. One of the officers is sent to deal with a statement from one of the victims of the assault and the Shift Sergeant comes to join us in the van. While the officers are dealing with the aftermath of this assault, further calls are constantly coming in. The overall situation is beginning to feel like it is getting rapidly out of control and the Shift Sergeant is doing remarkably well to allocate the thinly spread resources. If he is feeling the strain he is not showing it.*

5.2 West Patrick

West Patrick is a suburban 'new town' created under the New Towns Act 1946²³. The town has a population of approximately 80,000 making it one of the largest urban

²³ <http://www.legislation.gov.uk/ukpga/1946/68/contents/enacted>

areas in Scotland. The town centre is occupied by a large shopping centre that has been developed over many years, however the area has suffered from under-funding and competition from a major nearby city and other major out-of-town retail developments. Furthermore, a major £400 million regeneration project of the town centre has been indefinitely postponed due to the current economic recession. West Patrick lies approximately ten miles south of a major Scottish city and only six miles from another town of comparable size.

5.2.1 The NTE

The NTE of West Patrick is considered by the majority of interviewees to be disproportionately small for the size of town in regards to number of venues with only seven pubs and three clubs, one of which only opens sporadically (see Map 5.2), on offer. Amongst its stakeholders it is believed to lose NTE patrons to other nearby areas due their substantially larger NTEs and the current unattractiveness of the town:

I would say that it [West Patrick's NTE] is probably struggling at the moment, to be honest, just from our dealings with it we are not getting that many applications in for new premises. We are getting the odd one, but... far as the town centre is concerned we have only really had one big application recently and that will be reliant on the bank funding it, so I would say it is probably struggling... I think the main one would probably the lack of investment around the town centre the urban kind of decay. Perhaps decay is a strong word but a lot of the town centre needs a lot of work done to it (West Patrick local planning department representative).

The NTE in West Patrick contains two distinctly themed and geographically separated areas; the 'new town' and 'old town'. Unlike Southshire, where the licensing board believed they would be likely to be canvassed against increasing the NTE, many

stakeholders of the 'new town' NTE in West Patrick expressed the desire for more licensed venues to start up to encourage growth and development of the NTE:

I would encourage more restaurants and pubs to come into the area. I think at the moment it is slowly strangling itself... so there is an opportunity for a small operator to come in and do something a bit different and a smaller version rather than going for the big pub and big profits. Restaurants as well, I mean apart from us there is no-one else really, the only other one closes at 9 at a weekend like us so there is nowhere really to go for a bite to eat ('New town' Pub manager).

However, in contrast to this, the 'old town' is a heavily zoned area and is marketed to an older crowd with more relaxed drinking practices:

The Village is vibrant wee place and a great place at night-time because we have such a choice of pubs and restaurants...and it does attract a lot of people down, more so than any other part of [West Patrick], because it is the old quaint village and it is a bit rustic ('Old town' bar manager).

As the 'old town' features solely pubs that close at 12am mid-week and 1am on weekend nights, the majority of NTE related activity is concentrated in the 'new town' centre, specifically where the local takeaway food outlet, (licensed till 3:30am), major taxi rank and exit to the town's main taxi rank are all densely congregated in close proximity to one another.

5.2.2 The spatial organisation of police work in West Patrick

The police force that covers the large town of West Patrick operates in a total area of 5,500 square miles which contains almost 2.5 million inhabitants. As the area is so

vast and diverse the force is divided into several divisions, each with their own divisional commander, which are then divided further into subdivisions. West Patrick lies within a subdivision covering an area of 110 square miles and has the largest population concentration in that area.

The fact that the police that cover West Patrick operate in a subdivision that is part of a larger overall force raises several issues. The local Subdivision Commander in charge is granted a certain level of autonomy from the overall force command to prioritise the issues of that area as they see fit, however they still have to work within the overall targets and objectives for the force as set by the force's Command Team. The force has also placed significant emphasis on further utilizing special constables. The subdivisions also have to present a case outlining their needs to the overall force Command Team which is then judged and funding granted accordingly, a process which can create competition between the subdivisions. As overall crime rates are relatively low for the force, the subdivision serving West Patrick often has to struggle to be granted any increases in funding, particularly when compared to a neighbouring smaller subdivision that has higher crime rates.

Map 2 Location of licensed premises in West Patrick (as of 12/10/08)



Disregarding personnel abstractions (personnel training, sickness, holidays, maternity leave, etc.), during the peak NTE hours the maximum frontline resources available consists of; one Inspector who is on duty but is located in the police station of another large suburban town in the subdivision and can be called upon if and when necessary; one Sergeant who remains largely inside the police station making him/herself available if a high priority incident occurs and needs a senior officer to attend; a maximum of ten officers paired up in vehicles; two designated officers who remain in the town centre on foot patrol at all times who operate till 4am every day and who are currently paid for by the town centre retail partnership group²⁴, the terms of which are renegotiated periodically. The backshift which finishes at 2am and can also add extra cover should it be deemed necessary by the nightshift Sergeant. The police station is located centrally in the town and has eight regular police cells with two observation cells, however, there are no cells to cater for females and the nearest police facility able to take female prisoners is almost ten miles away.

Police resources are almost exclusively focussed on the 'new town', as opposed to the 'old town' which is perceived to be relatively unproblematic. At club closing time (2:30am) all available police resources are pulled into the town centre and the vast majority are exclusively focused outside the exit of the town's main club which is on the outside of the town centre shopping mall. Also located at this site is the largest taxi rank, a large bus stop and late licensed food outlet (licensed until 3:30am). The two other clubs, one in close vicinity to the largest club and the other (which only

²⁴ These officers are employed with the explicit purpose of providing a police presence in the shopping centre and to protect property of the businesses that operate within it, however due to the integrated nature of the NTE and the shopping centre premises there are obvious cross overs in duties i.e. the protection of property often entails playing an active role in front-line police work.

opens intermittently) is on the opposite side of the town centre shopping mall, are rarely monitored directly and not considered to be a public order/safety risk by the officers but are monitored by the occasional foot patrol, circulating police vehicle and constant CCTV coverage.

5.2.3 Notes from the frontline

Fieldnotes 20/03/10

At the outset of the shift I am informed that aside from a recent spate of car theft, the town has been quiet on all fronts. In the town itself, one of the three clubs has decided not to open its doors tonight and the other two report steady business but no significant numbers. I am to be accompanied by the Community Policing Sergeant (CPS) for the night who does not usually work the town centre and normally finishes at 12:00am but has agreed to accompany me for the shift.

11:20pm. *whilst on foot-patrol one officer spies a man urinating down one of the side streets against the shopping mall. Once stopped it is clear that the man is extremely intoxicated and unsure at first what crime he has committed that is justifying police intervention. Upon the issuing of a ticket by the officers he still seems largely unaware of his situation and accepts the piece of paper handed to him by the officer and continues to walk home.*

12:00am. *I am taken into the CCTV room of the shopping centre where two civilian members of staff are monitoring the screens. Whilst there a call comes through from the door staff at one of the clubs reporting that a young male has urinated on the side of the club and then become aggressive towards the staff when approached. The male then left with a female companion and entered the shopping centre. Within seconds the young male is picked up by the CCTV operators and his progression through the shopping centre is followed, flicking from one camera to the next seamlessly. The CPS radios to the two officers in the*

centre and provides a description of the youth, the direction he is heading and the offence he has allegedly committed. Within a minute the male is apprehended and after confirming with the door stewards that they would indeed like to make an official complaint, he is taken to the police office to be charged with a breach of the peace. The swift resolution and easy capture of the male is described later as a 'slam dunk'; i.e. a well-executed arrest with no hassle at all for the officers involved.

1:30am. Standing outside the main section of the town centre observing the situation and performance of the officers in attendance. A young, heavysset, man is becoming loud and obnoxious after being denied entry to a club. Two young officers talk to him and try to calm him down but to little avail. Though he is not being violent or aggressive he is disruptive and will not leave the scene, claiming that he has been "discriminated against for not being black". The two officers eventually wander away looking unmoved by his plight, however the man remains in place and continues to be loud. After a couple of minutes two more officers arrive and one takes him firmly to one-side and speaks intently to the man. After a few seconds the officer turns his back and storms away, leaving the man in a more subdued mood (but still in the vicinity of the club).

2:30am. There is a slow emptying of the clubs into the public space at the entrance. The chip shop (open till 3:30am) is getting a lot of business and the security guard they employ (from the pub next door which shuts at 12am) is keeping a watchful eye on the proceedings. The taxi rank has several cars backed up waiting for clients but there remains a growing queue of people waiting due to the time it is taking people to enter them.

3:00am. The main club has largely emptied. The other club round the corner is not judged to need any police presence and the third (which keeps erratic opening hours) is closed tonight. The nightshift Sergeant has remained in the station most of the night and there are no police vehicles present. Eight officers stand in front of the club exit and are keeping an eye on the proceedings. Even

though this has been a quiet night, the space in front of the venue is extremely congested with intoxicated revellers who are all either entering the queues for the taxis or the chip shop, leaving the town centre of their own accord, or are generally hanging around. The CPS expresses concern at the lack of experience his officers have to deal with this situation and is not happy at the nightshift Sergeant not being present nor any other police vehicles.

A minor fracas occurs in the centre of the crowd and all the officers quickly move in to quell the situation. Although no arrests are made the offending parties are corralled away from each other in separate directions. Once away from the immediate vicinity of the club exit the officers return to their original posts to continue maintaining their presence there whilst alerting CCTV to maintain an eye on the situation. Ten minutes later CCTV alerts the officers to another fracas which has broken out in the vicinity of where one of the groups has been directed to by four officers run to out of my sight. The CPS steps into take charge of the situation and allocate the remaining resources. Upon returning he expresses the belief that the sheer inexperience of the officers working has allowed a relatively minor situation to become inflamed way past where it should have been. He is critical of the officers lack of control over the public spaces they are supposed to be monitoring.

5.3 Spaybridge

The city of Spaybridge has a population of approximately 140,000, is one of the largest cities in Scotland, is the regional capital, and has two universities. The city of Spaybridge has undergone significant social, economic and cultural changes in the past 10 to 20 years, the most significant of which has been the transition from a traditionally manufacturing-based economy to a knowledge-based economy, although science and unemployment feature heavily as well. The population of Spaybridge has

fallen in the past 10 years by over 10,000 and whilst the relatively recent influx of students and migrant workers has stemmed this reduction, the population is still predicted to fall significantly. Subsequently, population retention has been made a priority by the local council. Tied into this vision for Spaybridge are the ambitious plans to renovate and transform. However, the city also suffers from levels of deprivation that are higher than Southshire and West Patrick and above the national average²⁵.

5.3.1 The NTE

The Spaybridge NTE is described by the many of its stakeholders as generally being diverse and active with a good selection of venues for the size of city it caters for. Many of these venues have benefited directly from the increase in student population from the expansion of local universities. Their impact has been to increase overall numbers of patrons in the NTE but have also given rise to the popularity of specifically themed 'student nights' and their absence is acutely felt when non-Spaybridge residents leave the city and return home during non-term time:

Q: Are you affected by the lack student population when they are on holiday?

A: Definitely. Our numbers will rocket when they come back (Spaybridge Nightclub Assistant Manager).

With [university name] they [NTE patrons] seem to have expanded considerably. Wednesday is now the student night here which has seen a gradual increase over the years, which is reflective of the new universities, growing universities, and it is very related in that sense.

²⁵ According to the Scottish Index of Multiple Deprivation, 53 out of the 179 total datazones in the city (30%) including 28.9% of the population are in the 15% most deprived category.

During their holidays, and particularly on the Wednesday in particular but also Friday, Saturday night you can visibly see there is less people (Spaybridge Police officer).

Spaybridge NTE is loosely divided into two geographical concentrations, or 'hotspots', of nightclubs and pubs, loosely defined as the 'Northside', and the 'Southside' (see Map 5.3), with the former containing the fewer in number but larger in capacity venues, and the latter having the more numerous numbers but smaller capacity venues. Though both areas are a popular draw for many NTE patrons, it has been noted that the 'Northside' area has become more popular over the course of the past few years:

When we developed back in 2000, 2002, it was back in the day that [name of large nightclub] and a couple of other clubs were seen as being big so it was deemed a good idea to develop this side of town. However, over the last five, six years there has been a mass migration from this end of town to the other end, and I think people will find it very hard to attract people back again. Once you are over that end of town you are so well catered for and businesses have left and gone, making the area look a bit down-trodden, it is no longer attractive, and that is what we really have to fight...ultimately we all need the competition around us to create that sort of area to attract people in (Spaybridge Bar manager).

The local council in Spaybridge has also actively zoned and developed an area of the city centre which they refer to as the 'cultural quarter', in which an arts centre, theatre, several restaurants and 'high end' pubs (i.e. cocktail, wine and style bars) are all in close proximity. Out of the three case study areas this 'cultural quarter' perhaps best represents the original 'café culture' NTE model that was envisaged by urban planners and local/national government (i.e. diverse uses and users).

Map 3 Locations of licensed premises in Spaybridge (as of 13/09/08)



The food outlets in the area are open till 3:30am and the area around them is in the immediate vicinity of the two largest nightclubs in the city, and is often the location of disorder as NTE patrons congregate in large numbers to use a small amount of facilities. Since 2005 the street where these food outlets are located has been closed off to traffic from 2:00am till 4:00am in order to increase public safety. Recently the local council has sought to bring forward the hours until which the food outlets in the town can trade, however some of these outlets are strenuously resisting any such move. Any such curtailment of hours would dramatically affect their earnings, such is the amount of trade they receive after the nightclubs have closed.

The public transport system in the city is heavily reliant on the taxi industry as there are no late-night bus services. From around 11pm onwards, and peaking between approximately 2:00am to 3:30am, a plethora of unofficial taxi ranks spring up in areas such as bus stops and roundabouts, a system which is tolerated by the police in order to help facilitate the transportation of NTE patrons away from the city centre after the nightclub closing times.

Two full-time employees paid for by the local council oversee a 'coordinated anticrime network' that seeks to make the city centre a safer and more secure environment for commerce. This Spaybridge Anti-Crime Network (SACN) was created from the Scottish Executive funded nationwide Safe City Centres Initiative (SCCI) in 2003. Initial government funding in 2003 from the nationwide Safe City Centres Initiative (SCCI) dried up in 2006 however, the SACN was adopted locally and now receives funding from the local council and police force to maintain its operation. The stated objectives of this partnership organisation are 'to promote the ethos of a safe city centre and to enhance public, safety,

reduce crime, violence and alcohol related disorder for those who work, visit or reside in the area' (SACN outlines 19/02/09). While the scheme was originally focused on retail crime in the DTE it quickly expanded into the NTE, the result of which included the creation and overseeing of the local BBN and Pubwatch schemes. A significant part of the BBN scheme has been to engage with the local licensees in an attempt to encourage responsible selling practices but also to highlight to them that the goal of reducing crime and disorder is not diametrically opposed to their goals of profit making and can indeed go hand in hand. Those licensed venues partaking in the BBN receive a benefit dinner in their honour as a form of reward for good behaviour and a celebration of responsible selling practices. The Pubwatch scheme that operates in Spaybridge is a well-funded and well supported operation.

5.3.2 The spatial organisation of police work in Spaybridge

The police force for the city of Spaybridge covers an area of almost 3,000 square miles and is divided into three operational divisions; 'West Division', 'East Division' and 'Central Division' and serves about 400,000 people in total. Spaybridge is covered by the 'Central Division' and encompasses a densely populated urban area. The main police station is centrally located in the city and houses the command structure for the entire division, the local CCTV operation and holding cells (32 males cells, eight female, four observation and four juvenile). Complementing this station is a substation which the community policing team operates out of and is located in the north of the city.

Disregarding personnel abstractions (personnel training, sickness, holidays, maternity leave, etc.), during the peak NTE hours the maximum frontline resources available to cover specifically the city centre consists of; one Sergeant providing a 'hands-on' approach to the running of the shift by prioritizing calls coming in from the FCC and allocating resources to respond accordingly. This officer is generally on foot patrol in the city centre or riding in a vehicle; and six officers on foot patrol or in vehicles. As with the other two case study areas, officers working the city centre on the backshift can be called upon to do overtime hours after their shift has ended at 1am.

By recognizing the challenges presented by the NTE, the force Command Team contributed additional resources to the SACN. As well as providing logistical support and police gathered data, the police also committed 12 additional front-line officers (11 beat officers and one Sergeant) to compliment the nightshift officers who are on duty within the city centre. These extra officers are pulled or volunteer for overtime from other parts of the city once their regular shift has ended. By doing this numbers of officers across the city are not depleted in order to provide police resources to the NTE. Furthermore, these numbers are not affected by abstractions like the regular shifts as the officers are pooled from those already on shift.

When the clubs close (2:30am) police resources are focused in two geographical locations across the city centre where the largest concentration of late licensed venues is located. The smaller of the two areas has approximately three or four paired foot patrols with at least one police vehicle to cover a series of densely packed smaller nightclubs. The remainder of the considerable amount of police resources are almost all focused at the

other end of the city centre where three large capacity clubs, taxi ranks and late night food premises are all located. The intermediary pedestrianised streets are the subject of one to two paired foot patrols and at least one police vehicle.

5.3.3 Notes from the frontline

Fieldnotes 02/05/09

I arrive and am greeted by the nightshift Sergeant who then introduces me to the SACN Sergeant who, although he is a very experienced officer, is still relatively inexperienced in the SACN Sergeant role and normally works exclusively outside of the city centre. In the office awaiting the arrival of the other officers to filter in for the briefing [during the briefing the senior officer on the shift will discuss the priorities for the forthcoming shift, any on-going calls needing attention and any relevant information from previous shifts] both the Sergeants discuss the redrawing of the operational 'districts' of the city from five to four to coincide with the local council boundaries. This does not sit particularly well with the officers mostly due to the fact that the Sergeant who is normally in control of the city centre has a larger part of the west of the city to deal with as well.

11:15pm. *The briefing takes well over an hour as the SACN officers are coming in dribs and drabs as they have been detained for various reasons from their other shifts and the Sergeant is forced to brief them one at a time about the night's activities, what is expected of them, and their call signs. During the briefing people are allocated specific nightclubs or areas to patrol. It is interesting to note that the areas of the student unions, the 'cultural quarter', and the 'gay and bisexual', areas, whilst they will be covered by general foot patrols at some point, are not specifically assigned to be covered by any of the officers. The officers finally head out on to the street which already has a much busier feel than a previous night.*

12:00pm. The radio is in constant use but it seems like all calls are coming from places outside the city centre. Meanwhile, in the centre, from what I can see and hear, there appear to be little or no problems.

1:45am. The Sergeant confiscates and disposes of cans of lager from men in a public space round the corner of [name of nightclub]. No further action is taken against the men.

2:30am. The Sergeant is standing outside the front of [name of nightclub] waiting for the last orders, although it soon becomes apparent that because it is a bank holiday that they will be open till 3am as opposed to the regular 2:30am, much to the consternation of the officers who had been working all day and then had to work the SACN shift. The street is narrow and coming out of the club is the usual mixture of night-time clubbers. Overall, although definitely drunk, there appears to be very few, if any, who are absolutely inebriated. A crowd of hundreds slowly pour out onto the street, either heading to the takeaway shop round the corner or migrating towards the various official and impromptu taxis that are gathering like hawks. The weather is fairly pleasant so nobody is in any great hurry to vacate the area and spirits seem relatively high. Added to this is a wall of yellow jackets (six officers alone assigned to the front door of [name of nightclub]) immediately in front of the exits to the clubs which provides further incentive for good behaviour.

2:55am. The Sergeant wanders round the general area of the main clubs. On [name of street] a door steward from one of the clubs approaches us to alert us to a young man, approximately 15 years old, just down the street who he suspected of having alcohol on his person. Without even having to search the youth it is obvious that he has at least one sizeable bottle of alcohol stuffed into his trousers. A further search reveals two one litre bottles of vodka. The Sergeant removes the bottles and hands them to the steward to dispose of. No further action is taken.

2:55am. The manager and head bouncer of [name of nightclub] are out on the street at the entrance to their venues the talking to various people, including the officers and

are referring to each other on a first name basis. Both are happy to engage in discussion and appear relaxed and professional about their business.

3:00am. *Whilst standing outside of [name of large nightclub] a group of young men complain about another young man who they claim will not leave them alone. The young man in question is heavily outnumbered and not of any physical size to intimidate any of the group but seems intent on being a pest. With a few words from the officer he slowly meanders off looking isolated and drunk.*

Officer: "there has been a tolerance brought into the policing. Folks are aware that people are out to have a good night so who are we to spoil that?"

5.4 Summary

The picture that is beginning to emerge from these descriptions is one of common challenges presented by the three NTEs and general set of tactics/strategies to approach them. For example, all three case study areas highlight the concentrated time, locations and nature of the issues officers face. In all three areas the spatial strategy/tactic of police work is centred primarily on maintaining a significant 'high vis' (hereby referred to as 'massing') presence at key geographical locations during specific times of the night, and providing a rapid and substantial response to incidents (hereby referred to as 'swarming'). The geographical areas chosen in all three case study areas were invariably near the exits of large licensed venues and associated amenities (food outlets, taxi ranks) in 'hotspot' areas, and concentrated the hour before and directly after closing time of those venues. The aim of this spatial tactic is twofold; firstly, to reduce the desire and the opportunity to commit an offence by increased chances of detection, and secondly, to prevent incidents from escalating in severity. By being in these areas identified as 'hotspots', police officers try to

physically assert ‘order’ through their presence in a highly visible fashion, often standing immediately outside venues so as to be instantly visible to anyone exiting the venue.

However, as the vignettes above suggest, the tactics of ‘massing’ and ‘swarming’ only scratches the surface of the issues that officers have to face on a night-to-night basis in the NTE context. Similarly, while observing the police during his research, Hadfield (2006) also noted the “scale and difficulty of the crime control, crowd management, prioritization, and duty of care responsibilities vested in the police” (ibid: 144). Many of these issues vested in the police are also influenced by locally specific issues. For example, the logistical challenges facing the police in a clustered, underdeveloped NTE like West Patrick can be quite different from those of the large police force in a city-sized NTE. Table 5, which lists the NTE venues of each case study site, highlights the disparity between the relative NTE venues:

Table 5: NTE venues by case study location

	Southshire	West Patrick	Spaybridge
Population	40k	80k	140k
Pubs	15	7	30
Late-licensed pubs	2	2	8
Nightclubs	3	1	4
Head of population per NTE venue	2k	8k	3k

The last row, which has approximate number of population to NTE venues, shows that Southshire – the smallest of the case studies – has the most venues per head of population, closely followed by Spaybridge, with West Patrick having significantly less than the other

two. This is particularly revealing as it shows the disproportionate number of venues available to the corresponding local population and the unique challenges that the police in each area face.

As part of the preliminary research of each case study area, each police force was asked to provide any data analysis they had conducted on the NTE in their area; graphs 1, 2, figures 5 and 6, and table 6 are examples of the data that were returned to me. As well as these, Spaybridge provided a report they had compiled in 2008 regarding city centre serious assaults, including its proximity to the major nightclubs in that area, West Patrick proved an 11 page document with full analysis of the data I requested (further maps, tables, graphs showing data at various scales, times and locations)²⁶. Southshire provided no further analysis.

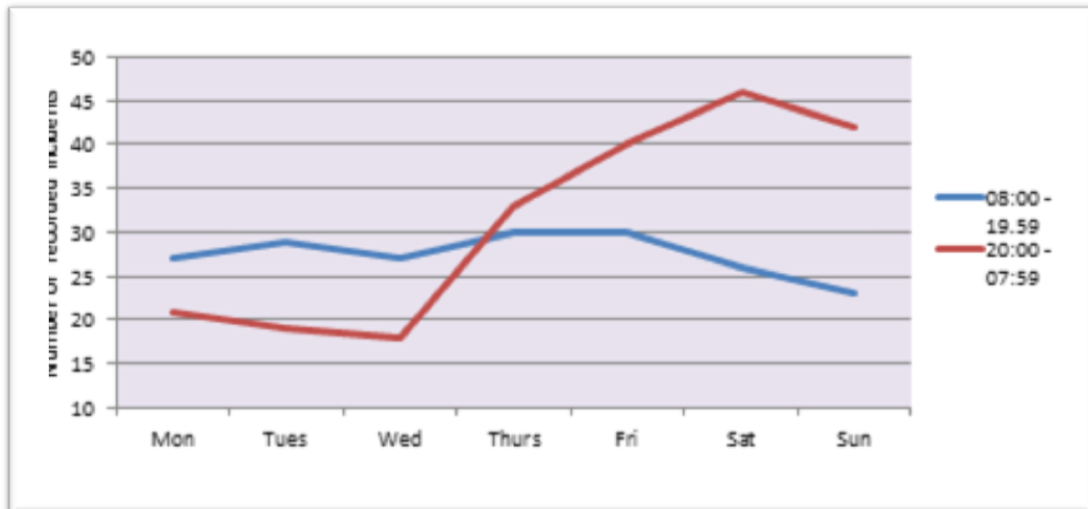
What this reveals are that the police forces were compiling data to create profiles of the NTE and were coming to the same conclusions (i.e. crime and disorder rates are concentrated in time and space), but were doing so in an entirely non-standardised way with no consistency between them. While such data presumably have applications as a management level tool, the data gathered in this research suggested that Spaybridge was the only location to use their NTE based data in any direct and evident way. For example, this report had been directly used to justify the need for extra front-line police resources during times where the NTE-related issues peaked (i.e. Friday and Saturday evenings and nights) and the for how best to modify their policing practices, such as closing a short stretch of road (see Map 3). Southshire and West Patrick appear to still use officers learned

²⁶ For reasons of anonymity these reports have not been included in this thesis.

experiences of the NTE (i.e. where is best to locate officers and how to police these spaces and times) to guide how officers conduct their work.

However, my thesis wanted to get under and behind these numbers and data profiling, to explore the lived reality behind these numbers and to see how front-line officers view the NTE. Furthermore, while the police's role in the NTE is pivotal to the maintenance of public order and safety, in each of these case study areas they are also tied into wider issues of policing that quantitative data such as these fail to address i.e. they are not the only providers of security in the NTE and are joined by a number of other stakeholders, each with their own interpretation and methods of policing. Complicating this picture further is the fact that the formal (e.g. Pubwatch schemes) and informal (e.g. lines of communication with bouncers) points of connection are not only dependent on the persons involved at the front-line, but also the work of various stakeholder bodies during the day-time. In this sense, to fully understand the policing of the NTE context one must appreciate the influence of all these stakeholders at the local scale, including those operating in timeframes different to those of the NTE activity itself. The next three chapters, then, go deeper into the case study sites and develop this complex picture of police work and policing in the NTE of the three case study locations.

Graph 1. Police recorded incidents in Southshire town centre 01/07/08 - 01/09/08



Graph 2. Police recorded incidents in Southshire on Saturday night/Sunday morning 01/07/08 - 01/09/08

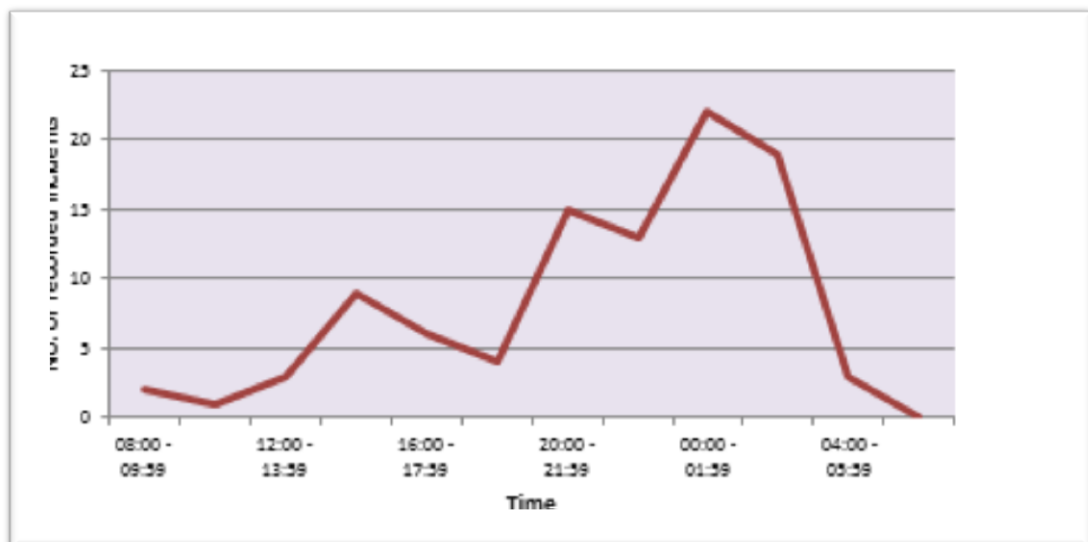


Figure 5. Police recorded incidents in West Patrick town centre 01/08/08 - 30/09/09

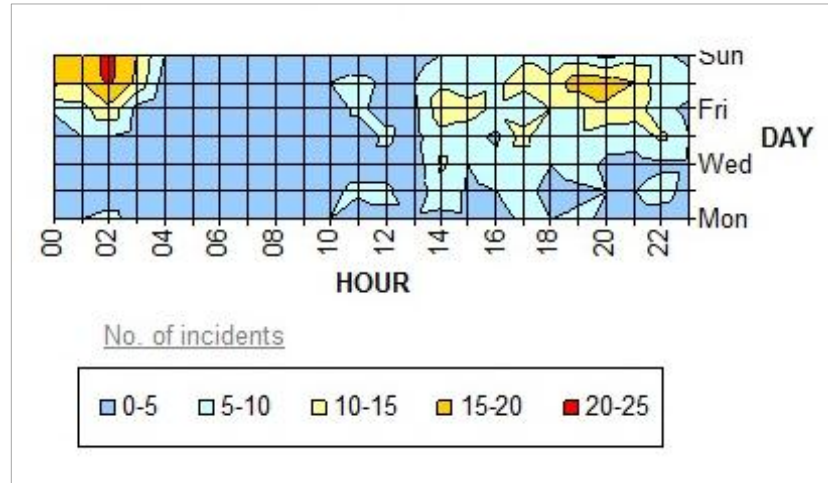


Figure 6. 'Dataclock' of police recorded incidents in Spaybridge city centre 01/04/09 - 30/06/09

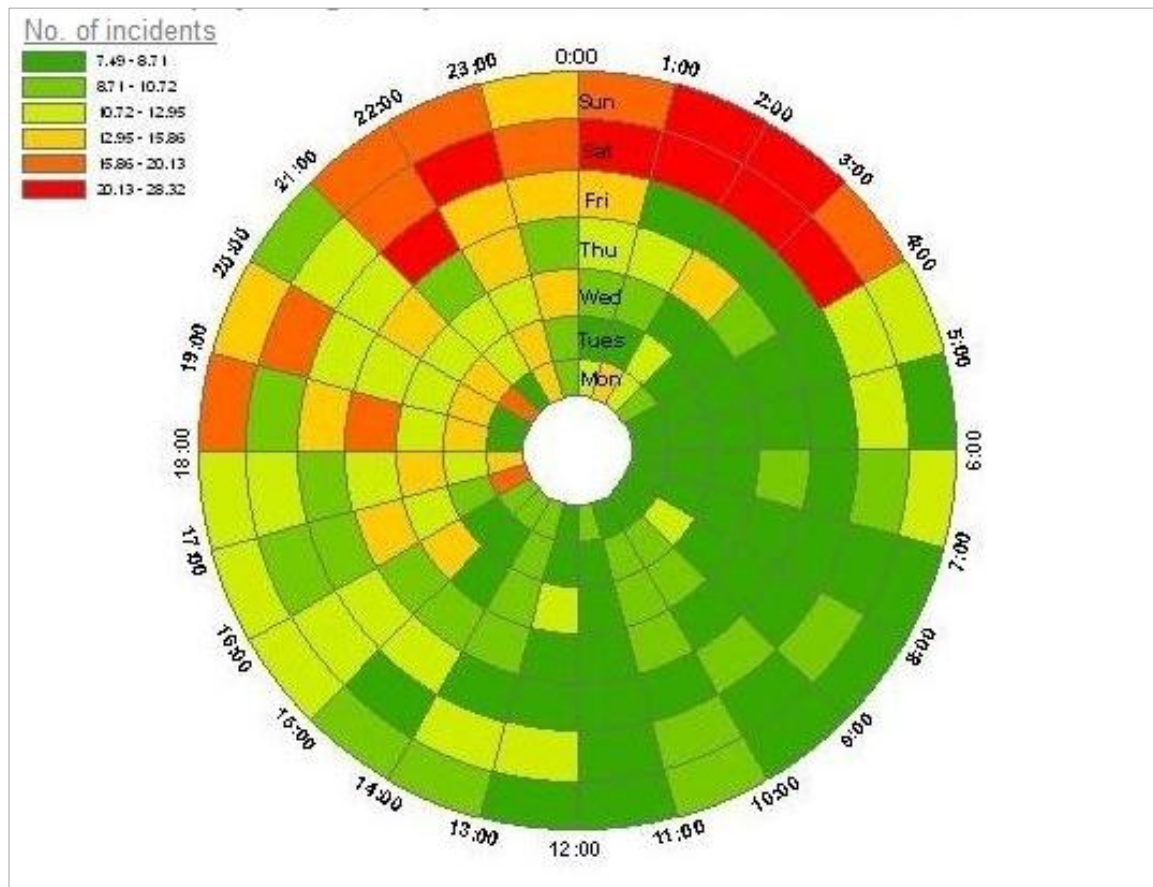


Table 6: Comparison of no. weekend incidents in Spaybridge city centre 2007-08, 2008-09

			ALL INCIDENTS			SERIOUS ASSAULT			ROBBERY			PETTY ASSAULT			THEFT		
Weekend	07/08	08/09	07/08	08/09	+/-	07/08	08/09	+/-	07/08	08/09	+/-	07/08	08/09	+/-	07/08	08/09	
1	6-8/4	4-6/4	5	3		0	1		1	0		2	2		2	0	
2	13-15/4	11-13/4	8	7		0	1		0	0		3	4		5	2	
3	20-22/4	18-20/4	19	12		1	0		1	0		15	11		2	1	
4	27-29/4	25-27/4	6	7		1	0		0	0		4	5		1	2	
5	4-6/5	2-4/5	18	12		0	1		0	0		13	6		5	5	
6	11-13/5	9-11/5	15	5		1	1		0	0		7	4		7	0	
7	18-22/5	16-18/5	9	10		1	2		0	0		3	6		5	3	
8	25-27/5	23-25/5	11	10		0	0		0	0		10	7		1	3	
9	1-3/6	30/5-1/6	17	3		0	0		0	1		16	1		1	1	
10	8-10/6	6-8/6	11	7		0	0		0	0		8	7		3	0	
11	15-17/6	13-15/6	15	8		1	0		0	0		13	4		1	4	
12	22-24/6	20-22/6	9	5		0	1		1	0		5	3		3	1	
13	29/6-1/7	27-29/6	13	2		0	0		0	0		10	2		3	0	
14	6-8/7	4-6/7	14	4		1	0		0	0		10	4		3	0	
15	13-15/7	11-13/7	1	4		0	0		0	0		0	2		1	2	
16	20-22/7	18-20/7	9	8		0	0		0	1		7	7		2	0	
17	27-29/7	25-27/7	15	3		0	1		0	0		11	2		4	0	
18	3-5/8	1-3/8	9	7		0	1		0	0		7	3		2	3	
19	10-12/8	8-10/8	11	4		1	0		0	0		7	3		3	1	
20	17-19/8	15-17/8	9	9		1	2		0	1		5	4		3	2	
21	24-26/8	22-24/8	24	2		0	1		0	0		21	1		3	0	
22	31/8-2/9	29-31/8	6	12		1	3		0	1		3	6		2	2	
23	7-9/9	5-7/9	14	9		1	1		0	0		9	6		4	2	
24	14-16/9	12-14/9	7	6		0	0		0	0		6	4		1	2	
25	21-23/9	19-21/9	21	9		1	1		0	0		18	8		2	0	
26	28-30/9	26-28/9	9	6		1	1		0	0		4	5		4	0	
27	5-7/10	3-5/10	14	3		1	0		0	0		11	2		2	1	

28	12-14/10	10-12/10	10	10		2	2		0	0		7	7		1	1	
29	19-21/10	17-19/10	14	7		0	0		0	0		12	7		2	0	
30	26-28/10	24-26/10	9	10		2	0		0	0		8	7		1	3	
31	2-4/11	31/10-2/11	11	5		0	0		0	0		10	3		1	2	
32	9-11/11	7-9/11	14	11		0	2		0	0		10	8		4	1	
33	16-18/11	14-16/11	17	9		1	0		0	0		12	9		4	0	
34	23-25/11	21-23/11	12	3		0	0		0	0		8	2		4	1	
35	30/11-2/12	28-30/11	9	5		0	0		0	0		7	4		2	1	
36	7-9/12	5-7/12	7	8		0	1		0	0		6	6		1	1	
37	14-16/12	12-14/12	11	5		1	0		1	0		3	4		6	1	
38	21-23/12	19-21/12	19	13		1	3		0	0		13	8		5	0	
39	28-30/12	26-28/12	16	9		1	0		0	0		11	8		4	1	
40	4-6/1	2-4/1	7	1		1	1		0	0		3	0		3	0	
41	11-13/1	9-11/1	14	12		0	1		0	0		11	10		3	1	
42	18-20/1	16-18/1	5	5		1	1		0	0		2	4		2	0	
43	25-27/1	23-25/1	11	7		0	1		0	0		7	4		4	2	
44	1-3/2	30/1-1/2	8	8		0	0		0	0		4	6		4	2	
45	8-10/2	6-8/2	8	6		0	1		0	0		4	4		4	1	
46	15-17/2	13-15/2	14	4		1	2		0	0		12	2		1	0	
47	22-24/2	20-22/2	7	4		0	0		0	0		6	3		1	1	
48	29/2-2/3	27/2-1/3	7	8		0	2		0	0		5	4		2	2	
49	7-9/3	6-8/3	10	4		0	0		0	0		9	4		1	0	
50	14-16/3	13-15/3	6	4		0	0		0	0		3	2		3	2	
51	21-23/3	20-22/3	9	336		1	35		0	4		6	245		2	62	
52	28-30/3	27-29/3	11			0			0			9			2		
TOTAL			587			25			4			416			142		

KEY: DECREASE, NO CHANGE, INCREASE

Chapter Six: The objective normative orders of police work in the NTE

As discussed in chapter three, Herbert (1997) argues that a series of *objective* and *subjective* influences shape how police control space and enact their territoriality, influences which he conceptualizes as normative orders, defined as being a set of rules and practices that are organized around a central value. In part of his argument, Herbert claims that there is a tendency for police based research to focus on the subjective influences on police work, particularly the use of discretion. Such a focus underplays the fact that “legal rules condition where and how police can act [and] bureaucratic regulations structure their territorial practices” (ibid7:61). However, by highlighting the importance of objective normative orders Herbert does not deny the importance of subjective influences. Indeed, a central tenet of his conceptual framework is how human agency plays a significant part in front-line policing. What Herbert argues is that in order to fully understand police actions one must engage with both the subjective and objective normative orders.

Following the structure of this argument, this chapter focuses on these objective normative orders of law and bureaucratic order in shaping and structuring police actions in the NTE of the three case study locations. Chapter seven is, therefore, linked to this chapter by focusing on the other subjective normative orders of machismo, safety, competence and morality. A key theme throughout both chapters is the interrelated nature of these orders but also how these orders often conflict with each other when officers have to prioritize some over others. I also build a case supporting the view that front-line police work in the

NTE has created its own subculture that is unique to that environment and has interpreted these normative orders in a particular way.

6.1 Front-line police work in the NTE and the law

The law is a normative order for the police by defining “a range of rules and permissible practices organized around a central value – the enforcement of the law” (Herbert, 1997:39). Before I continue it is necessary to briefly layout the prosecution structure in Scotland as this impacted on how the police use and are defined by the law.

In the Scottish criminal justice system, with regards to criminal prosecutions, the police never prosecute (Gordon, 1980). The Scottish government department of the Crown Office and Procurator Fiscal (COPFS), headed by the Lord Advocate and assisted by the Solicitor General for Scotland, carries out public prosecutions in Scotland. The actual conduct of prosecutions in Scotland is delegated to the advocates-depute in the High Court and to the procurator fiscal in the local sheriff and district courts. Across Scotland there are 48 procurator fiscal offices organised into six regions to correspond with the same number of sheriffdoms (Scott, 2010). This system, where the COPFS retains primacy at all times over the police in all matters regarding prosecution (HMICS, 2000), is different from England and Wales where the Crown Prosecution Service (CPS) has no investigatory role and is less dominant than in Scotland (Joyce, 2006).

6.1.1 Breach of the Peace

A 'Breach of the Peace' (BP) charge in Scotland is a specific criminal offence in Scotland which is prosecuted in the Sheriff Courts. In Scots Common Law, a BP is defined as when one or more persons conduct themselves in a riotous, or disorderly manner, anywhere which alarms, annoys or disturbs other people and can take place *anywhere*, public and private. Whilst 'riotously' defined behaviour is more easily identified and more likely to cause concern to the public, e.g. loudly swearing or challenging people to fight²⁷, behaviour defined as 'disorderly' is more subtle and encompasses general low level disorder. Along with 'common assault', a BP charge, due to its loose definition, was observed to be an extremely common charge in the NTE context of all three case study locations²⁸, particularly in relation to the variety of lower level crime and disorder that is often characteristic of the NTE. Officers can use the flexibility of the term to their advantage in the NTE context. For example, a BP charge may be used as a reason to detain someone for a short period of time (e.g. several hours to let an arrestee 'sober up' or 'calm down') without the need for a warrant for their arrest:

I am informed that on the previous Friday nightshift officers arrested a man for a minor breach of the peace as he was consuming alcohol in a public place. Such action could easily have resulted in disposing of the alcohol and issuing a verbal warning, however I am told that this man is a notorious troublemaker in the town and often enters the town centre at the weekend with the specific intention of troublemaking. This was seen by the officers as being particularly 'good police work' because he was 'given the jail' in a Friday night and subsequently cannot be released until Monday morning when the courts are back (Fieldnotes, West Patrick, 19/03/10).

²⁷ <http://www.police-information.co.uk/legislation/legislationindexsco.html#breach>

²⁸ See Southshire (section 5.1.3) and West Patrick (section 5.3.3) for examples of the use of BP charge.

Sometimes nipping something in the bud and getting them in the office and into a cell can save you huge repercussions later on because you can see them psyched up and tanked up and they ain't gonna stop, and it doesn't matter what you say to them it is just not going in, the curtains have come down, and if he ain't gonna do it there he is going to do it on the way home or at home (West Patrick Constable).

This process of reducing the potential for escalating incidents from their current 'disorderly' status to that of 'riotous' by 'nipping it in the bud' was believed to save a considerable amount of work later in the night and reduce the potential for more serious crimes to be committed which would require further police intervention and create a further risk to other members of the public.

However, the BP charge remains problematic in the NTE context. Firstly, it was common practice to arrest someone for a BP and then later release them without charge or only with a verbal or formal police warning²⁹, such as when 'nipping things in the bud', a process which was seen to be favourable to the police who saved themselves time and for those arrested persons as it kept them out of the criminal justice system. However, in such situations, the deterrents associated with making an arrest are removed and the officers are therefore allowed to use considerable amounts of discretion. With no comeback for a verbal warning and extremely low rates of formal warning disputes³⁰, there appears to be little riposte for those arrested and little accountability on behalf of the police. Secondly, many officers interviewed spoke of their perception that due to the volume of BP charges produced by the NTE and the vagueness of the definition, the procurator fiscal was less inclined to prosecute and more likely to seek plea bargaining or to take no further

²⁹ 6,141 formal police warnings were issued in Scotland 2010-2011 (SPPF, 2011)

³⁰ The percentage of formal police warnings accepted in Scotland 2010-2011 for the six forces that recorded such data averaged 98.4% (SPPF, 2011).

proceedings. The accused would thereby avoid serving a custodial sentence, facing instead a fine or community service. This scepticism was exemplified by one officer, who stated:

We went that many years where they would go to the fiscal for a breach of the peace, and it would get 'red penned', nae action taken. You felt like, 'what is the use?' [it was] a case of us sending it to the fiscal and he has no taken any action... that is the impression we are getting back to us... we have also got the impression that the actual police assaults, they don't take on any action on them because they will plea bargain to get a breach of the peace and they will say "no action" on the police assault. If someone is resisting arrest, or fighting with you and struggling with you, the courts seem to think that is acceptable. We dinnae find that acceptable...if someone is fighting with us and we are cuffing them, or CS spraying them, that means we have been in trouble. So, it is seen by us that the fiscal is, sometimes, just no taking the action that they should be (Southshire Sergeant).

The above quotation demonstrate that some front-line officers felt that the flexible and wide-ranging law that permitted them to use their discretion also worked against them as it did not allow for a scale of severity, including assaults on police officers. In this sense the officers believed that the NTE context coloured the lens through which the procurator fiscal interpreted the law. With this perception in their mind, some officers spoke of how this could affect their decisions as to charge someone or not i.e. deciding not to charge due to a perception of a lack of prosecution rates for breach of the peace in the NTE context.

6.1.2 Fixed penalty notices

What has proven to be a popular means of dealing with low-level disorder without having to formally charge persons with a BP, thus avoiding some of the issues described above, is the Fixed Penalty Notice (FPN) fine. Already established as a means of dealing with traffic offences, the McInnes Committee Report (2004) recommended extending their use to low

level offending as they “deal with such infringements in a swift, simple, effective and cost-effective way” (ibid:91). FPN were then added into the Antisocial Behaviour etc. (Scotland) Act of 2004, as a non-criminal³¹ on the spot £40 fine that can be issued for a number of offences contained in the common law offence. As table 6.1 (below) demonstrates, this list varies, however the overwhelming amount of these (94%) have been used for breach of the peace, drinking in public, and urinating/defecating in public (Cavanagh, 2009).

Front-line officers perceived that the FPN fine has two main facets that makes it particularly useful in the NTE context; firstly, by removing the need to involve the criminal justice system, officers can issue these fines without having to go through the formal processes of charging someone (i.e. arresting someone, processing them at the jail, completing the ensuing paperwork, attending court), thereby saving front-line officers time and allowing them to maintain their presence in the NTE context:

I think they have been very useful at cutting down time on sitting doing reports and things. If we can just issue a ticket that takes maybe five minutes, even if they have been brought into custody and then released and given a ticket, again it cuts down so much time doing the paperwork involved with doing a report. So if it is a minor offence then great, if they are prepared to pay a fine, and that is it at the end of the day, it has hopefully done its job and they will not do it again, and it has saved us a lot of time in the process (Spaybridge Constable).

³¹ The FPN is initially non-criminal in that it involves neither an official finding nor an acceptance of guilt and discharges all liability to conviction for the offence, thereby removing the procurator fiscal from the process, however failure to pay the initial fine within a time limit incurs a 50% increase in the amount and further failure to pay incurs the issuing of a warrant and can lead to a criminal record.

Table 6.1 Fixed penalty offences as defined by the Antisocial Behaviour etc. (Scotland) Act 2004, Part 11, section 128)

<i>Enactment</i>	<i>Description of offence</i>
Section 78 of the Licensing (Scotland) Act 1976 (c. 66)	Riotous behaviour while drunk in licensed premises
Section 79 of the Licensing (Scotland) Act 1976 (c. 66)	Refusing to leave licensed premises on being requested to do so
Section 47 of the Civic Government (Scotland) Act 1982 (c. 45)	Urinating or defecating in circumstances causing annoyance to others
Section 50(1) of the Civic Government (Scotland) Act 1982 (c. 45)	Being drunk and incapable in a public place
Section 50(2) of the Civic Government (Scotland) Act 1982 (c. 45)	Being drunk in a public place in charge of a child
Section 54(1) of the Civic Government (Scotland) Act 1982 (c. 45)	Persisting, to annoyance of others, in playing musical instruments, singing, playing radios etc. on being required to stop
Section 52(1) of the Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39)	Vandalism
Sections 201 and 203 of the Local Government (Scotland) Act 1973 (c. 65)	Consuming alcoholic liquor in a public place

Beyond the actual NTE front-line the FPN also reduces the paperwork that is associated with dealing with the Standard Prosecution Reports (SPRs) generated by the NTE:

If I come in on the Monday morning after finishing at 4 on Friday, I am going to have five times more work than what I will Monday to Friday to put it in perspective.

Q: So this is a knock-on effect to the day shift then from the NTE?

A: Absolutely. You will come in on a Monday and there will be all the knock-on paperwork, inquiries to get done, there might be packages left from other shifts to deal with and it tends to be the Friday, Saturday nights that generate most of that (West Patrick Sergeant).

Listen, anything that keeps me and my officers out there on the street, where we need to be, rather than sitting in a queue waiting to process some ejit [idiot] into the jail is a good thing. They [FPNs] have been extremely useful to us in that sense (West Patrick Constable).

These findings were mirrored in another review of the use of FPNs in Tayside (Ebreast and Staines, 2006), where it was estimated that the time saved by issuing a FPN (which takes 10-15 minutes, on average), instead of a SSPR (which takes 45 minutes, on average, although this was noted to be considerably longer in rural areas) for the same offence, would have amounted to a total of 1,300 man hours, assuming that 2,000 FPNs would have been dealt with by means of SPR (ibid:13). It was also estimated that a 15% reduction in case load of SPRs from the procurator fiscal's workload can be directly attributed to the introduction of FPN's (ibid:14).

The second notable aspect of the FPN was the perception by officers that it was a suitable punishment to fit many of the low-level crimes commonly committed in the NTE context. Officers from all three case study areas spoke of how prior to the inception of the FPN they were often left frustrated by their inability to deal with ubiquitous lower level crime and disorder in the NTE, torn between their 'duty' as public guardians to respond to disorder and the practical realities of choosing to arrest someone under the BP charge (i.e. officers were sometimes reluctant to arrest someone due to the subsequent paperwork, low chance of conviction, time off the street, etc.), yet still wanted to 'deal with' incidents and offences being committed beyond merely issuing a verbal warning. As this Southshire Sergeant commented:

With the £40 ticket we are issuing, if we had done that before and filed a report the Fiscal wouldn't take any action. But a £40 ticket, we feel we are doing something and we are getting them to pay attention to it, ok it's £40, but it's £40 for urinating. How much would it have cost you to go to the public toilet during the day, 20p? What is £40 costing you? So, the Fixed Penalty Notices have had very good affects on us for minor crimes, we are not doing much more paper work, don't know at the back end if folk are paying it or no, but we are seeing at the front end we are doing something, especially with the minor stuff, minor breaches, I am no needing to worry about men having to sit down and do reports to go to the Fiscal for them to look at it and go 'well, he has not been in any bother before; no taking any action' (Southshire Sergeant).

The FPN system certainly saves a lot of those situations where it is low level offences, say a minor breach of the peace, urinating, public drinking, whereas before these people would have been getting arrested and brought back to the office, with this you can issue a FPN if it is appropriate and that certainly cuts down on my work (Southshire Constable).

In this sense a FPN offers a 'halfway' form of punishment. Whereas previously the appropriate legislation would have been too severe and practically unworkable for officers to administer without withdrawing their spatial presence, the new tool of the FPN allows for both situations to occur simultaneously and increases police officer discretion. Officers remarked that they believed that FPN represented a way for them to swiftly and effectively administer an appropriate form of justice that had a deterrent effect.

However, although no such occurrence was witnessed first-hand during the fieldwork, there was anecdotal evidence to suggest that some officers issued FPN in circumstances where previously the offence could have been dealt with sufficiently by informal means, such as a verbal warning, or ignoring the incident altogether, an issue also noted by Cavanagh (2009).

While such use of FPN is the result of an individual officer's discretion, more concerning is overzealous issuing of FPN as a force-wide policy. There was extensive anecdotal evidence that in Spaybridge such a policy had been in place:

When I first moved down to [name of Spaybridge police force], it was a performance culture. You had to have the figures and that is all they wanted. Your entire annual appraisals were based on the number of people you had charged, the number of tickets you had written, and people were just going out and charging people for stuff that was ridiculous, it was stupid. I had never seen anything like it (Spaybridge Constable).

Fortunately, as the officer above states, this is no longer the situation in Spaybridge. Yet the relative level of autonomy granted to Chief Constables means that the potential for such a force-wide policy remains. Furthermore, this 'net-widening' of offences, coupled with high levels of officer discretion, suggests that this undoubtedly advantageous tool for front-line police officers needs close monitoring. Similarly, regarding the potential benefits of extending the FPN to include other lower level offences (e.g. possession of personal amounts of cannabis, minor theft, minor assault) suggested by Cavanagh (2009), Scott (2010) cautions that "care has to be taken that such savings [in police time and resources] are not paid for by a further reduction in the public's legal rights and the proper interests of justice" (ibid:369).

6.1.3 Drunk & Incapable

Whilst the law can facilitate the role of the police in the NTE it can also be ambiguous and unworkable when compared to the realities of the NTE. A prime example of this is the

offence of being 'drunk and incapable' (D&I) which the law³² states is the condition of any person who, while not in the care or protection of a suitable person, is in a public place³³, drunk and incapable of taking care of him or herself. In theory any person found in such a condition is the responsibility of the police and liable on summary conviction to a fine of up to £50. In reality the responsibility lies somewhere between the police and ambulance services due to the medical implications of being in such a state. Much of what is unsuitable with regards to police dealing with D&Is is exemplified by the initial assessment that officers have to make when coming upon a D&I person:

The first thing you have to decide is whether it's drink or drug related or is it an injury of some sort? That can be quite a difficult call to make sometimes. It may be the case where you have to call for medical assistance but then it's not just the police that are stretched at night, the ambulance services are stretched and the last thing they want to do is come down and see if it's a drunk or not (Southshire Sergeant).

Officers in all three case study areas reported the difficulties of making an initial and definitive assessment on someone's wellbeing due to the similarities in the symptoms of D&I with that of a head injury (i.e. unable to communicate, severe disorientation, loss of basic motor skills, etc.). Further to this, officers also spoke of the ill-defined boundary between those who were just 'very drunk' and could possibly take care of themselves and make their way home on their own volition, and those who were 'incapable' and in need of assistance and care, be it from the police or medical services. The above quote also alludes to the issue of the strain placed on emergency services resources during peak NTE, the time

³² Civic Government (Scotland) Act 1982, Section 50, <http://www.legislation.gov.uk/ukpga/1982/45>

³³ Public place as defined in section 133 of this Act includes any place to which at the material time the public are permitted to have access, whether on payment or otherwise, any public conveyance other than a taxi or car, doorways or entrances of premises abutting on any such place and any common passage, close, court, stair, garden or yard pertinent to any tenement or group of separately owned houses.

when officers commented that they were most likely to have to deal with D&Is. From a front-line police resource perspective, the care of a person who is D&I is highly resource intensive:

If they are on their own and they are comatosed through drink you can't just leave them there you gotta do something, it may be a case of taking them back as drunk and incapable...the only problem is that the custody officer is having to do checks every 10 to 15 minutes at that stage, deaths in custody can often be drink related and if that happens then it's just an absolute nightmare for everybody. Ideally you don't want to bring someone who is completely inebriated back to the cells but sometimes you don't have any option. There have been occasions where a good speed intervention by an officer through in the custody areas that we have not had a fatal incident, and that has happened quite a few times. So, there is a huge responsibility there, an unseen responsibility, and perhaps an underappreciated responsibility (Spaybridge Constable).

From a financial resource perspective it is estimated that based on 2009 figures that the average cost of holding an arrestee overnight in police custody is £385 per night. The 5,502 individuals charged with the offence of being D&I in the period between 2007-08 cost £2.12 million per year across Scotland (Griesbach, 2009:27) and the equivalent overnight stay in a hospital £0.7 million³⁴ (ibid:22). More concerning than the cost, however, is the danger highlighted by the quote above; the increased potential for a death to occur in police custody when a detained person is D&I. Whilst some officers are acutely aware of this danger, the issue remains an 'unseen' implicit responsibility, they perceive that are not properly trained or have sufficient resources to provide the care and monitoring required:

³⁴ There is currently no national data available on alcohol-related ambulance call-outs, however the Scottish Ambulance Service reported that in 2007 they attended an average of 73 incidents between 1-2am on Sunday mornings compared to the hourly average of 38 incidents and at Hogmanay incidents peaked at 150 between 2-3am (Unpublished data supplied by the Scottish Ambulance Service, cited in the Scottish Government's alcohol discussion paper, *Changing Scotland's relationship with alcohol*, see page 32)

They are high risk, they can choke on their own vomit, their drunkenness may be masking some other condition or illness, and they really need constant observation and that is resource intensive, and there are occasions where if we don't have sufficient custody officers we have to take officers off the street to help supervise these characters (Southshire Inspector).

As the above quotation highlights, such is the necessity to supervise these high risk individuals that officers are occasionally pulled off the front-line in order to provide the constant supervision that they require.

The research for this thesis also discovered that the ability to effectively look after a D&I is dependent upon the facilities that are available at the local police station, particularly the necessary 'observation cells' that provide CCTV monitoring or actual observation, including 'rousing' of the prisoner every 15 minutes. Spaybridge being the largest of the three case studies had the most observation cells with four and Southshire and West Patrick both having only two. Problems quickly arise for all the stations, however, as these observations cells are primarily designed for those who are a self-harm threat and not for D&Is creating competition for this resource. Once in an observation cell a custody officer is required to check the detainee's status at least every 15 minutes. Because of the health responsibilities tied into caring for a D&I person this situation was seen as being unsatisfactory to all concerned and potentially hazardous to the D&I person's health and wellbeing, custody staff charged with looking after them are not, despite basic health training, medical staff and the police holding cells and facilities are not equipped with such needs in mind.

The findings from this research also support the assertion of Griesbach et al. (2009) that D&Is are not an homogenous group and can be broadly categorized into three sub-groups;

the “one-offs” who have drunk to excess on a night out, who are very unlikely to be in such a state again; the “binge drinkers” who are not alcohol dependent, but who will regularly consume large quantities of alcohol at weekends or special events and are likely to be present to services more than once; and the chronic, “recidivist” drinkers who are alcohol dependent and present to services frequently. Although there was no statistical data available in any of the three case study areas to corroborate such hypothetical groupings, anecdotal evidence from the officers strongly supported such emergent typologies. The two extreme examples of this were Spaybridge and Southshire, where the former had far more one-offs due to its high student population and the latter had disproportionately more recidivist drinkers. With Southshire being the smallest of the case study areas these repeat recidivist drinkers were known personally to the majority of officers. Although such a policy was not formalized and dependent on specific officers local knowledge, instead of being placed in a cell for the night these recidivist drinkers were often ferried home in a police van.

Ultimately, it was observed across all three case study areas that current arrangements for D&Is are unsatisfactory because of the demand on time and resources and pressure on observation cells, especially at weekends, and the concerns about the inadequate services provided by police custody cells. Furthermore, although some tentative steps had been made toward multi-agency cooperation, particularly between the police and health and medical services (i.e. the sharing of data, drawing up of protocols and guidelines, etc.), on the issue in all three case study areas, nothing tangible or definitive had been arranged to make better use of front-line resources or provide an alternative to police cells or hospital

beds (i.e. sobering up services, transportation services, medical and welfare support and mobile triage services).

Attempts to identify the extent of the problem at a national scale have encountered similar problems due to inadequate data sets. Griesbach et al. (2009) have noted that in Scotland there is an “absence of consistent and robust data [making] it difficult to obtain an accurate measure on the extent of the problem” (ibid:66). For example, one D&I case may be recorded by both the A&E departments and the police (i.e. the same person can be treated in hospital as well as being charged by the police). However, it is generally acknowledged in the international literature pertaining to the care and needs of D&Is that police custody is resource intensive and is an unsuitable environment to care and address their medical needs (see Griesbach, Russell and Lardner (2009) for a full review of this literature).

6.1.4 Licensing (Scotland) Act 2005: New powers for front-line police work

The Licensing (Scotland) Act 2005 introduced several new police powers, including powers allowing courts to impose exclusion orders on individuals convicted of violent offences, in or near to licensed premises and powers for immediate closure of licensed premises by senior police officers under circumstances where serious threats to public order are observed or envisaged (Scottish Executive, 2005, see Section 7). However, as mentioned in chapter three, the new Licensing (Scotland) Act 2005 only came into force midway through the field data collection period of this thesis on the 1st of September 2009, thereby preventing a full comparative assessment of the interpretation and use of these laws by front-line officers in the NTE context. Research in England and Wales (Hadfield, 2009) has found that many of

the equivalent powers introduced in the corresponding licensing laws update (Licensing Act 2005) have been unevenly deployed and subject to local influences. In agreement with Elvins (2009), I would recommend future research to examine the use and impact of these powers.

6.2. Front-line police work in the NTE and bureaucracy

Having examined the law in the above section, I now turn to the objective normative order of bureaucratic ordering, that is, the rules and practices that are organized around the central value of organizational control. Herbert argues that, like the law, bureaucratic regulations define “the parameters of territorial concern for each officer... [and] the particular responsibilities the officer is to assume within that territory” (ibid: 61). However, while the influence of law is universal to all officers, bureaucratically assigned responsibilities in a hierarchical organization such as the police vary tremendously depending on where officers find themselves on the ‘organizational flowchart’. As a result of this, there is considerable variation in responsibilities between officers across both horizontal (distinctions made across the organization from one unit to another) and vertical (the changing role of duties as one climbs up the hierarchy) strata. The relevance to front-line police work of bureaucratic ordering is that when it is executed efficiently it can lead to the smooth coordination of officer’s duties, however, when done inefficiently it can impede police work. These inconsistencies and contradictions are inherent in bureaucracy and remain a central influence in structuring police actions. The focus of this section is on developing an understanding of the influence of bureaucratic ordering on the practices of

territoriality in the Scottish NTE context and provides examples from my research of when it both helped and hindered front-line police work.

6.2.1 The Sergeant/Inspector dynamic

With regards to the coordinating of the front-line police shifts during the NTE, in all three case study areas the two most senior officers were the Inspector and the Sergeant. In terms of their proscribed duties, in general the Inspector was based in the station for the duration of the shift and his/her tasks range from overseeing custodies, catching up on paperwork, and attending large or serious incidents as or when they occur. The Sergeant's role was to be direct frontline resource (officers and vehicles) managers who have a very 'hands-on' approach. During a shift they are the operational focal point to allocate resources and act as the main point of contact, either by radio or in person, for other officers seeking general or legal advice on their handling of a particular situation. The relationship between the Inspector and the Sergeant is similar to the Sergeant and the officers below them; the Sergeant can refer back to the more senior officer to seek information and legal confirmation and backing to their actions. Although the Sergeant is the primary resource manager, the Inspector has authority over this lower rank and can exert his/her influence at any given time, although in practice the Sergeant is largely left to their own devices and free to make judgment calls as they see appropriate.

This dynamic is crucial to the effective running of a shift, and between these two ranks the entire territorial ordering of the shift rotates on a night-by-night basis. However, this relationship is not static and is open to situational developments, personal interpretation of

their duties and roles, and locally specific structural issues related to the NTE. When situational developments occur such as larger or more serious events occur (e.g. a rape, a murder, an event involving multiple arrests or an event posing a significant threat to public safety, etc.) the Sergeant's command is superseded and the Inspector will often assume direct command of the shift. During such events the command structure should work efficiently and in unison to resolve these events, as this Sergeant and Inspector stated:

The Inspector deals with the custodies and keeps an eye on the situation in the rest of the force as well. I prefer it if I run the street and he will run the other things. Sometimes it's just more beneficial to have them elsewhere, but they are additional bodies on the street if it is necessary (Spaybridge Sergeant).

Mostly, Sergeants are frontline managers and it is really down to them that they manage their shift and ensure that resources are getting prioritised to whatever calls are coming in, if it's a low grade priority then we are not necessarily needing to send resources at that time, so we can put them towards more urgent matters, so would always leave the Sergeants to operate. I would have an overseeing role in that so if I felt it was not an appropriate response then I would have direct contact with the Sergeant on a back-to-back channel to give him some guidance, so you have very much an overseeing role. In a general context, if it goes horribly wrong and there is a serious incident that arises, whether it's a crime matter or a serious road traffic incident, then you have a more hands-on direct supervisory role, and that would be expected (Southshire Inspector).

The above quotations were examples of when each officer knew the role and duties of their assigned position on the organisational flowchart and their relation to the position of the other ranks. However, this dynamic between the Sergeant and the higher ranking Inspector can become strained and less effective during NTE shifts due to personal interpretation of their duties and roles. For example, it was generally understood by all that the Sergeants were the ones in charge of the front-line operation in the NTE context. For a variety of

reasons (e.g. to provide extra front-line resources on a busy shift, to exercise their authority, or to simply 'get out of the office') an Inspector may decide to leave the police station, don a fluorescent jacket and join the operational officers out on shift. However, a higher ranking officer entering the shift can upset this power structure with their higher ranking authority if they choose to assume command of the shift even if they are less experienced to do so. Commenting on such a scenario a Sergeant remarked:

You do have senior officers that don't have a clue what goes on out there and to be fair don't want to know what goes on out there and in many cases you don't really want them there because they would just make decisions that are poor because they are not operationally experienced. If some Inspector or, even worse, a Superintendent appeared on a Friday night you would be like, 'oh god, here we go', seriously, because they wouldn't have a clue and would just make orders for the sake of it. What you want is someone who knows what they are doing and is used to it on a weekly basis (Sergeant Spaybridge).

In such a situation as the one the Sergeant describe above, bureaucratically assigned responsibilities can clash depending on the personal interpretations of the officers roles. The fear for this Sergeant was that the result of this was that it could potentially impede police front-line operation as a result of inexperienced decision-making.

This Sergeant/Inspector relationship is also influenced by locally-specific structural issues related to the NTE. In Southshire case study site, the Inspector in the town during a nightshift is the most senior ranking officer in the entire Division and is therefore responsible for providing advice and support to a significant geographical area. If a priority call comes in from a location out with the town of Southshire, the Inspector is duty-bound to attend. Although the Inspector is still available via radio, the removal of their presence

from the town again affects the Inspector/Sergeant dynamic. In another example the Inspector for West Patrick was very rarely physically present other than for a major incident. The reason given for this was it was perceived to be a more effective use of a higher ranking officer's role to have them stationed in a neighbouring town where recorded crime rates were comparably higher than in West Patrick. These lower rates of crime and disorder also influenced how the Sergeants executed their roles; with the perception that there was less requirement for a front-line resource manager and a gap created by the absence of a superior officer that needed to be filled, it was observed during the fieldwork that the Sergeants would assume the role more akin to that of an Inspector, specifically remaining in the police station to conduct an overseeing role. However, as the incident described at the end of the West Patrick field-note vignette (section 5.2.3) demonstrated, incidents can quickly escalate in the NTE and inexperienced officers can benefit from a senior officer providing their knowledge and front-line resource management skills to better diffuse the incidents that occur and prevent them from escalating.

6.2.2 The 'two cultures of policing'?

To varying degrees both Sergeants and Inspectors have concerns for the efficient bureaucratic organisation of police work and have a role in front-line work. In this sense they represent a middle-ground, sandwiched between the extreme ends of the 'two cultures of policing' i.e. 'management cops' and 'street cops' (Reuss-Ianni, 2005). In her argument, Reuss-Ianni states that while these extremes may share the objective goals of the police to combat crime and ensure a safe and secure city, they differ on "the definitions of

these concepts and in the more concrete operational aspects of the means by which such goals can be achieved” (ibid:302).

With regards to this supposed gap between the two cultures in the NTE context, this research found expressions of such a set of beliefs held by the front-line police officers. A commonly held belief by many of the ‘troops’ was that the ‘management’ officers based their understanding of the NTE on erroneous knowledge. Firstly, management officer’s experience of police work in the NTE was particularly out-dated as the NTE was an area of contemporary police work that had changed significantly when compared to many other aspects of police work. Secondly, the high levels of discretion and informal measures used (see chapter seven for a fuller discussion of this) by front-line officers meant that the statistical information that they used to facilitated their management-level decisions did not reflect the reality of their high volume workload. The comments expressed by the officer below were illustrative of many officers’ responses:

The thing is that some of them have been in higher promoted positions for 10 or 15 years, and 10 or 15 years ago it wasn’t the same, we didn’t have the same culture, there wasn’t maybe the same drug problem, the drink problem, lots of the problems we deal with didn’t exist and as far as they can see they are trying to keep themselves right in a world that they are totally detached from (Southshire Constable).

The concerns for front-line officers is that because these management officers are so far removed from the NTE, they will be prone to making decisions that are not attuned to the reality of it and the challenges front-line officers face. This issue can also be subject to locally-specific structural influences:

The Command Team in [Spaybridge] is very C.I.D. [Criminal Investigation Department] in background and you find that once you get to Command level they are that way orientated. So yeah, a lot of run-of-the-mill stuff could pass them by and stuff that they might concentrate on is not what we would classify as a priority, though obviously serious stuff everybody can relate to. I think the immediate Supervisors have got have relatively good control of it and I can't think of anyone who is not relatively OK with the situation, but certainly once you get higher up that is always going to be the case in any walk of life unless they put themselves out (Spaybridge Sergeant).

The tensions between the organizational ranks over the police work which have been noted to create a level of wider *esprit de corps* – cited as being one of the defining features of wider 'cop culture' – appeared to be particularly pronounced in the NTE context due to the perceived unique challenges presented, both by the NTE context and the perceived gulf between the management officers and the front-line officers. Indeed, there is almost a sense of pride in their ability to still operate and effectively execute what they see as a moral and just role as public guardians, despite what they see as hindrances and obstacles that are placed in their way by those who do not understand their important role in society:

But we are police and we will make it work. We will moan about it, boy will we moan about it, but we will make it work because that is what we do, we are professionals (Spaybridge Constable).

You have just got to get on with it and make the most of it (Southshire Sergeant).

Life is life, we deal with it (Southshire Constable).

However, across the three case study areas there were also voices that ran contrary to the opinions expressed above. Some officers even expressed a level of sympathy for senior officers and acknowledged that they have different challenges and priorities to face when

compared to the relatively straightforward role that the lower ranks had. As one Southshire Sergeant commented:

"It is easy for people on a shift, they are all bar room lawyers who turn round and say, 'aye they don't have a clue what we are up to', well I beg to differ and I am sure that 15 years before they were doing exactly the same" (Southshire Sergeant)

This view was shared by other officers:

There is a perceived gulf, whether the gap actually exists or not is a different matter. I think you have got to remember, and I can see it from both sides...they have got a bigger picture to look at and it is not just a Friday, Saturday night it is the whole lot and they get a lot of demands placed on them from the politicians and different groups, everyone wants a bite of the cherry and you come into it on a Monday morning all you can see is what's in front of you and you have got to take a bigger view of it (West Patrick Constable).

I would say that there shouldn't be a lack of awareness of the problems that we have. If I have got issues which my Sergeants and Constables are telling me I don't just pretend they don't exist, I will take that awareness further up the chain. As far as the issues go, they do get passed up the way, but sometimes it is frustrating for officers on the ground because they expect an instant fix and response but sometimes things take months to sort out (Spaybridge Inspector).

The finding of an appreciation by street officers for the concerns of the management officers at the supposed opposing end of the spectrum is counter to what Reussi-Ianni and Ianni (2005), amongst others, have argued. These findings are more in line with Herbert's (1997b) argument that this 'two culture' theory "overstresses the distinction between the two groups and thus ignores the commonalities between them" (ibid:344). In all three case study sites there were examples of when senior officers had even gone to the lengths of

joining officers during a weekend nightshift in order to gain first-hand experience of the NTE and address this supposed imbalance in their knowledge of the realities of front-line police work in the NTE context. However, attempts at closing the knowledge gap by management officers seeking to gain first-hand experience of police work in the NTE may be destined to be forever impeded by bureaucratic conflicts. For example, the unpredictable nature of the NTE means that one shift may be quiet and uneventful, meaning for a management officer to fully appreciate the NTE context would necessitate multiple visits to front-line shifts:

I would like to see officers above the rank of Inspectors when it is busy, anti-social times, coming out and seeing what the problem is. I would like it if some of the bosses came out, not every weekend but occasionally, possibly on a bank holiday weekend, possibly on a weekend that will be after payday, to see the amount of people that are in the town, to see it at capacity, to see how thin the blue line is and also be part of it because it can be like that. Also so they come not just on Friday but also Saturday night because they could get the one night where there is bugger all and they go back to the ivory palace and go "well, nothing happens down there". Next night is a conveyor belt back and forth to the jail (Spaybridge Constable).

Yet while this may provide improved front-line knowledge through first-hand experience, and as pleasing a sight to front-line officers as this may be, such a situation could be an unreasonable expectation to place on management officers who already have their responsibilities and duties as management officers. As this Southshire Inspector commented:

It is unrealistic to expect to see the Chief Inspector or the Superintendent out on the streets every Friday, Saturday night. For example, in Spaybridge we have one Chief Inspector who does the operational side of things and as far as I am aware he has been out a few times, and certainly the previous Divisional Commander had been out a few times as well, but they have got their jobs and

they work nine to five Monday to Friday so for them to give up another night, and they do it occasionally, is not realistic (Southshire Inspector).

Another issue was that it was common practice was for management officers to announce their impending presence in advance, allowing the officer in charge of the shift time to prepare and to 'paper over the cracks' (i.e. thoroughly brief his subordinates of their roles and duties, ensure a full complement of officers, pairing the management officer with the 'best' front-line officer, etc.):

The Chief Constable comes out and announces 'I am going to be down the city centre next Saturday night', then I guarantee that next Saturday night is going to be fully manned and the person who is doubled up with the Chief is going to be selected for him (Spaybridge Constable)

Such behaviour may be counter-productive in the long-term as it potentially limits a management officer's chance of gaining an accurate picture of the situation and is an example of how for many individual officers the primary value of bureaucratic control is short-term "professional self-preservation" (Herbert, 1997:62/63) i.e. to abide by the rules – or give the impression of doing so – means avoiding sanctions, extra workload and the potential for progression up the ranks.

6.2.3 Management decision making and bureaucratic 'slippage'

The extent of this knowledge gap, and whether or not it is unavoidable, is open for debate. However, the perception remained and was partially fuelled by incidents of senior officers making decisions that were counterproductive or out of alignment with the lower ranks aims and objectives in the NTE. One prominent example was the decision in Spaybridge to

redraw the officer patrol boundaries of the city centre officers ('section one') to make them coincide with the local council electoral wards, the idea being that this would make the police more accountable to the population of those areas. One of the most significant changes to the boundaries was to dramatically increase the size of the city centre area where the NTE was primarily located (see map 6.1) as well as defining some of the main NTE locations within the jurisdiction of another group of officers. Previous to this resizing exercise officers could focus their resources entirely within the town centre, whereas now the same amounts of resources are spread across a much wider geographical area presenting various logistical challenges, such as the need for two separate radio channels to be utilized to cover the same area that previously had one. Another side effect of this resizing has been the removal of the nightshift Sergeant from frontline duties. For a significant portion of the nightshift the Sergeant is now wedded to their computer at a substation on the outskirts of the city centre as they deal with the increased responsibilities acquired by increased geographical area, which has the knock-on effect of leaving the SACN Sergeant with increased responsibilities beyond their initially planned support role.

Map 4. Police section 1 boundary map Spaybridge



Further frustration was caused by implementing these changes during a time when the division had just experienced its lowest crime rates/highest detection rates for many years:

We do want to be here because we want to do the job, we want to help people and stop criminals... these reorganizations [just] don't make any sense. [name of] Division had its lowest crime recordings figures and its highest detection rate it has ever had, and they have done this and it is just going all wrong. It is politics and maybe the people up above who have to justify their position, perhaps they need their next promotion and they have to do bring something new in, and I think they have made a big, big mistake and I think that is the general feeling from all the cops on the ground (Spaybridge Constable).

When you are at the sharp end, at the coal face, you're having to deal with decisions that the Command Team make. The Command Team may have made these decisions for some very informed reasons, be it stats or whatever, but at the end of the day unless they make sure there is sufficient troops on the ground, the guys on the ground can't deal with what has been asked of them. The guys on the ground will deal with the everyday run-of-the-mill things as they come across them, but when you are getting additional tasks asked of you it becomes hard to balance what has to be done (Spaybridge Sergeant).

A policing operation that was previously regarded by the officers of Spaybridge as a well-run and efficient was altered to accommodate reasons other than those which would suit purely front-line operational objectives. The result of which had very real consequences on the spatial organisation of the police operation in the NTE. Herbert (1997) defines such a situation, when "rather than effectively coordinating complementary concerns, different units and different officers often work in (sometimes deliberate) ignorance of each other" (ibid: 62), as being bureaucratic 'slippage'.

Another example of this bureaucratic slippage is Community Policing (CP) strategies. Devised by senior officers at a national level, CP is defined as “an organisational strategy that promotes partnership between people and their police, based on the premise that both the police and the community can work together to identify and prioritise those problems that concern the community” (Donnelly, 2008:30) and is seen as being the future policing management direction in Scotland (Donnelly and Scott, 2010). However, the times of the CPOs shifts in the three case study areas are shaped to accommodate the needs of residential areas and the DTE in the town and city centres i.e. day shift (from early morning to late evening e.g. 7am till 5pm which varies between police forces) and back shift (from early afternoon to late night/early morning e.g. 2pm till 12am which varies between police forces). This means that they ended their shifts one to two hours before the locally prescribed closing times of the NTEs of the three case study areas. Commenting on what they saw as a bureaucratic restriction placed on their duties to provide policing during the time when they were most needed one CPO concluded:

We have been put onto a shift system where we are all working different shifts, we don't get what we as Community Officers in the city centre should be doing. The shift patterns have been designed round the Community Officers in the [housing] schemes who really do need to be in their areas at those certain times because they are focused on youth problems. We don't have them. We are focused round on the day-time economy and night-time economy, and I did my early shifts at the weekend there so I was here at 7 o'clock Sunday morning. My community, the day-time economy, i.e. the shops, don't open till 11 or 12. I sat for four and a half hours in the office...my quiet nights are Sunday, Monday, Tuesday, and I am working late shift. Why? For us, we are in a unique environment, we are not like the schemes but we're having to work the same shift patterns as them purely because the bosses won't get it into their heads that we are in a unique environment (Spaybridge CPO).

This suburban-centred shift pattern caused consternation amongst the CPOs who felt that they were failing in their duty to be responsive to their assigned community. Regular response officers also felt negatively affected by this situation and believed that they have to cover the extra workload at peak NTE times after the CPOs shifts end:

Community officers deal with lower level offences, stuff to do with licensing, council, schools, petty shop lifting, things like that but they finish at 10pm. They get much less work load and yet they are not made to do the night shift, well why not? Why can't the community officers be integrated into the night-shifts? The violence of the job is so much worse that there is simply not enough people on the ground floor (Southshire Sergeant).

Such was the negative feeling towards the CPO shift pattern that the view expressed below by this West Patrick officer was not an uncommon one:

The reality is we have taken all these cops away from the core shifts to make up the Community Policing. Now the work for the core shifts has stayed the same, the work hasn't reduced dramatically. So you have still got the same work, but you have got a lot less officers and it is pared back to the bone and response policing, as far as I am concerned, is in tatters. You have got Community Cops up there doing day shifts and the majority of our calls happen during the lateshift and nightshift when these guys are home in their beds sleeping (West Patrick Sergeant).

At the time of writing the bureaucratic structuring of the CPOs in the three case study areas was such that there was inflexibility in the system to allow for the policing needs of the urban night characteristics in the town and city centres.

6.2.4 The cost/benefit ratio of resource deployment: a 'lose, lose' scenario?

Sections 6.2.2 and 6.2.3 provided examples of times when the bureaucratic organisation of the police hindered front-line officers. However, decisions were also made by senior officers with the explicit purpose of facilitating their job in the NTE context. The most prominent example of this was the SACN task force in Spaybridge where additional 12 foot-patrol officers were mandated to focus directly on the NTE (see section 5.3 for fuller description of the SACN). Such a substantial financial commitment represented an acknowledgement of the challenging nature of the NTE and was a statement of support for the officers working in this environment. Inevitably such an investment was well-received:

Q: What are the benefits of having the SACN?

A: it frees up the beat cops, the response cops, to deal with other incidences that are on-going, because we know that the SACN are keeping a lid and in theory stopping any unrest and disturbances which allows you to go and get on with other incidences that are going on (Spaybridge Constable).

You could literally, and I am talking about my own team, and we are into the holiday period as well, and if you have got sickness as well, when they changed the Teams they put everybody and anybody into Teams. And some of these people were long term sick so we never even seen them and in fact some of them have retired since they were down on paper, so yeah without the SACN it would just not work at all. We rely heavily on them, no question (Spaybridge Constable).

Police recorded data of a week-by-week comparison of 2007/2008 and 2008/2009 show a decrease in all recorded incidents in the town centre in all but seven of the 51 compared weeks (see table 6 in section 5.4). These findings are backed up by anecdotal evidence:

The drop in the unruly behaviour has been the biggest advantage. If they are out there and the public are seeing them and realising that they are there, rather than as it was, when they would see

them in the cars driving past on the way to another call, now they are seeing that there is police there all the time and realising that we are trying to keep a lid on everything and keep it safe for everybody (Spaybridge Sergeant).

Whilst providing an extra 12 officers for the SACN operation was not cheap, the force command team (the top level decision makers of the internal hierarchy of the police forces in Scotland) of Spaybridge calculated that the cost (providing extra front-line resources for the NTE context as opposed to potentially applying these resources areas of police work)/benefit (reduced crime and disorder rates in the NTE) merited such a decision. However, the process of making such a decision with regards to the policing of the NTE may not be as straightforward for smaller forces such as those covering Southshire and West Patrick. In these areas the NTE was significantly smaller than in Spaybridge and weekend nightshifts could often be extremely quiet and uneventful making any cost/benefit ratio harder to assess:

It is probably a good enough balance [the police resources available], until things go wrong and then it is never a good balance. If everything goes swimmingly and you have your normal Friday, Saturday night and you get your officers in the town, your cars responding to calls and dealing with them, you are coping. There might be a few calls stacking up but they are coping with them, and there are officers in the town centre clamping down on any trouble there. Now to be fair that is how most Friday and Saturday's go, that's fine, that is exactly progressing along, and then 'bang', three domestics and we have got one or no cars out there, we only have six people walking about in the town centre. And it happens, and it probably happens more regularly than you think, so it is to the detriment of people then (West Patrick Constable).

You could have 30 in the club on a Tuesday night, and I still had to cover it because if we don't there is fighting. And you think they have been in that club, drinking and mixing in with each other, they come out on to the street and they start fighting! Nightmare. It is so unpredictable but that's what police work is like. Sometimes people are fine and other nights... (Southshire Constable).

There is never a happy medium because either the cops are going about with nothing to do or it is a crazy Friday, Saturday night and you are just swamped with calls. It is feast or famine, and it is always the same and there are times when they are walking about doing nothing and other times if you had another ten you wouldn't have enough, it is just the way that policing is I'm afraid (West Patrick Constable).

With larger NTEs, such as the one in Spaybridge, the amount of NTE activity is generally, though not always, more consistent, thus making the bureaucratic decision to provide these resources more justifiable. On the other hand, smaller towns may be more prone to unpredictable nights, as the above quotes attest to, creating a 'feast or famine' situation in places like Southshire and West Patrick. Judging how many resources to commit represents a challenging task; over-providing resources is expensive, officers become bored with nothing to do and the town looks flooded with officers; to under-provide potentially means that resources can become extremely stretched, crime rates can rise due to a lack of police presence and the NTE in the town can become labelled as disordered and dangerous. Southshire, being the smallest of the three case study areas, yet still with a proportionately large NTE, was particularly perceived by officers to suffer from 'feast or famine'. Frontline resources were often criticized for being insufficient and even with the backshift staying on after their scheduled finishing time of 10pm and overlapping with the officers on nightshift till 4am, officer numbers were also regularly depleted through abstractions, exacerbating the situation further:

Q: Would you say that the resources are adequate to do the job that is required?

A: No, definitely not...if we are spread thin on the ground you only need one reasonably sized incident and you can have the whole shift there. If something else happens elsewhere or even in one of the estates for instance you are then struggling (Southshire Sergeant).

Statements such as the one above show how concerned officers can be about the level of resources they have available to effectively deal with the NTE, some even fearing losing control of the streets. Though it was not described as being a frequent occurrence, there had been incidences in the recent past when shifts had become exceptionally stretched and the police presence in Southshire and West Patrick town centres was extremely low (e.g. with officers having to attend on-going incidents or being caught up processing a suspect). However, in opposition to this, there were countless other shifts when little to nothing occurred, potentially creating a 'lose, lose' situation for those in charge of trying to judge how to effectively balance the cost/benefit ratio. Whatever the outcome of this decision making process there are very real consequences, one way or the other, for those operating at the front-line of the NTE.

6.4 Summary

According to Herbert's (1997) conceptual framework, the influence of the objective normative order law and bureaucratic structuring is often underappreciated in the police based literature. The findings from this chapter are in agreement with Herbert in that to understand police actions and their territoriality, one must appreciate that "legal rules condition where and how police can act [and] bureaucratic regulations structure their territorial practices" (ibid7:61). For example, considering the influence of the law, a BP charge and a FPN fine allowed officers to deal with a wide variety of low-level issues that commonly arise in the NTE context. However, the law also stipulated that if a member of the public is found to be D&I, the police have a duty of care towards that person regardless of how inappropriate a police custody suite is for a person in such a condition. Regarding

the bureaucratic structures influence on front-line officers in NTE, this chapter also demonstrated how decision making processes by senior officers could both facilitate their front-line officers territoriality by providing funding for more front-line resources (e.g. the extra officers provided by the SACN in Spaybridge), but that they could equally hinder this process (e.g. redrawing the section one shift boundaries to complement the local council ward boundaries). Ultimately, based on the findings of this chapter, I would argue that objective normative orders of law and bureaucratic ordering proposed by Herbert are an appropriate tool with which to conceptualize police work and territoriality in the NTE.

However, Herbert also argues that to fully understand police actions and their territoriality, one must combine these objective orders with the subjective i.e. appreciate the role of human agency plays a significant part of front-line policing, something demonstrated at several times through this chapter. For example, this chapter has highlighted some tensions between objective structures inherent in police work and personal interpretation (the 'professional self-preservation' of the officers hiding the reality of the front-line policing to senior officers who do decide to come out with a nightshift to bridge the gap in the 'two cultures' of policing) and use of discretion by individual officers (e.g. the decision by some officers not to make an arrest because they perceived that Scottish legal system would not successfully prosecute BP committed in the NTE context). Therefore, the influence of the objective orders on police work is only half the picture and in order to fully understand the appropriateness of the normative orders as a conceptual framework in its entirety, as Herbert proposed, the interconnected subjective influences on police work must also be examined. It is to this task that chapter seven now turns.

Chapter Seven: Unpacking police street craft

In the previous chapter I examined the influence of Herbert's (1997) objective normative orders of front-line police work in the NTE context. However, Herbert also argues that an "excessive focus on structural procedures...can obscure a fuller understanding of the practices of a state agency such as the police because a number of less formalized but no less significant impulses also structure such practices as police territoriality" (Herbert, 1997: 79). Therefore, to fully understand police actions these two objective orders need to be supplemented by four subjective orders – adventure/machismo, safety, competence, and morality – that "are constructed within the subcultural world of the officers and thus infuse the more objective realms of law and bureaucracy with potent subjective elements" (ibid: 23).

As the normative orders of law and bureaucracy are two constants in the world of the police the framework of chapter six followed Herbert's framework by examining each of them in turn. However, the subjective orders are more fluid and context dependent. For example, Holdaway (1983) has observed that American based police studies, such as Herbert's, stress the "pervasive sense of territorial *danger*", whereas research conducted in Britain has consistently found that the police "perceive space, place and the local population as part of a world potentially erupting into *disorder*" (ibid:37, added emphasis). Whilst Herbert's normative orders conceptualisation remains valid, some of these normative orders have been modified in the Scottish NTE context. I therefore develop the notion that there is a specific NTE 'cop culture' (Reiner, 2010) that has been developed to help officers cope with the pressures that confront them in their work. It is the flexibility of the cop culture

framework, its “elective affinity” (ibid:118), that makes it suitable for analysing the subjective and less formal influences on front-line police work in the Scottish NTE. I have termed this specific subculture the ‘street craft of policing the NTE’ and I develop this notion throughout this chapter.

7.1. ‘Mental maps’: police readings of local NTE landscapes

The literature pertaining to the front-line police work in the NTE states that the most common policing policy is to read the local NTE landscape and deploy frontline police resources to areas where ‘trouble’ is most likely to occur. Once identified, the advice is that these ‘hotspots’ (Home Office, 2004) should be subject to intensive policing coverage (i.e. massing). However, a significant part of the craft of policing involves an acute awareness and knowledge of the locality which is being policed. This intimate understanding can then be used to maximize front-line police resources in a more nuanced way than merely ‘massing’ at certain locations. Most officers, but particularly the Sergeant or longer serving officers, in all three case study locations displayed such intimate knowledge of the layout of their respective NTEs, from the more obvious (e.g. the locations of major venues) to the obscure (e.g. hidden lanes, walkways and general ‘nooks and crannies’). According to Holdaway’s (1983) seminal work *Inside the British Police*, officers create mental maps, or ‘police maps’, of their territory, or ‘the ground’ as he termed it, and they police and interpret the landscape through how they can control these spaces. To examine the suitability of such a conceptualization the following sections I will take each case study site in turn.

7.1.1 West Patrick

Due to the concentration of venues and amenities in one clustered location at closing time ('new town') (refer back to map 5.2), coupled with the lower priority of the town as a whole when compared to a neighbouring town and city, there is an inherent assumption by many of the NTE stakeholders interviewed that West Patrick's NTE is not an issue (as the actions of the Sergeant in vignette 5.2.3 attest to). The police mental map of the NTE in the centre of the town consists is almost exclusively that of this one 'hotspot' (the old town is not considered a priority due to its earlier closing times and smaller number and size of venues and the crowds they actively discourage from entering (see section 8.4.2 for discussion on how old town venues achieve this)) so much so that almost the entire police map of the town's NTE rotates around this small, but highly congested area.

However, the supposed advantages that a spatially clustered NTE brings (i.e. officers can focus their front-line resources in one location) is somewhat tempered in West Patrick by the issue of non-NTE located drinking, otherwise known as 'street drinking'. Out of the three case study areas West Patrick officers perceive under-age street drinking to be a much more significant problem for the police to deal with primarily because although certain neighbourhoods are more likely to attract such problems, those engaging in street drinking often choose non-static locations to avoid being detected by the police. This spatial 'peppering' of locations significantly complicates officers mental maps of what constitutes the NTE in the town. One Sergeant in West Patrick summarized the situation as thus:

It is an absolute nightmare. It's a logistical nightmare as well. If you had 600 drinkers in West Patrick and you could guarantee that they were in one of ten places then maybe trouble would kick

off in two of them, you knew exactly how to resource that. If you have 600 people in 83 locations, it ain't easy to police, and it is always where it is going to annoy somebody. If people went somewhere and had a carry-out where you knew they weren't going to cause annoyance to anybody, we wouldn't be any the wiser they were there in the first place, nor would anyone phone in to tell us. We don't go hunting these people if they are in the woods somewhere having a drink. It always comes to someone's notice, it is always in someone's driveway, or behind their house, or what have you, and it always comes back on us, because why would you want that? So you would phone up, getting so cheesed off eventually, 'there is a crowd behind my house, please come out', and it happens every Friday, Saturday night in West Patrick, it is non-stop (West Patrick Sergeant).

The above quotation also raises a debate as to where the exactly the spatial boundaries of the NTE lie. Whilst Hadfield has defined it as representing “those areas of our towns and cities in which licensed premises are most densely concentrated” (2006:2), a definition which is generally accepted and uncontested in the NTE literature, for the police the spatial element of this definition is not so clear. As the quote above alludes to, the seemingly spatially separate locations of the town centre's NTE and the residential areas are united in their joint propensity for *alcohol-related* disorder in the West Patrick officer's mental maps. However, the issue of street drinking adds temporal contours to the mental map of the NTE, in that it generally, but not always, occurs before the peak of NTE activity, thereby allowing officers to refocus their resources on the town centre at the time when they are generally needed the most.

7.1.2 Southshire

In Southshire, the disproportionately high number of late licensed venues, when compared to West Patrick and Southshire (see table 5) that are almost equidistant from each other (refer back to map 5.1) mean that when police read the landscape they see potential

problems spread across the area as opposed to clustering in one identifiable area. The supposed advantage of such a dispersed NTE is that the issues of density and congestion (i.e. too many people concentrated in space and time) which are seen as being a primary cause of disorder, are reduced. This is true to an extent; with the locations of the three nightclubs – all of which are comparable in capacity – spread across the town and three taxi ranks servicing them, by and large the issue of ‘flashpoints’ that may be created as a result of congestion, is avoided. However, Southshire only has a relatively small force meaning front-line resources are spread across the entire town to cover the dispersed venues, thereby restricting their ability to concentrate their resources in one particular area.

One key police tactic in Southshire to compensate for this is for at least one pair of officers to be constantly mobile across the whole town centre in a police vehicle to give the illusion of a higher police numbers and maintain the deterrent effect of a visible police presence and to provide a quick response to incidents that do occur, wherever they may be.

The link between officers mental maps of the rest of the town and the spaces of the NTE were also used to their advantage. While use of such knowledge (e.g. knowing the location of an incident and the most efficient route to get there) was demonstrated frequently by many of the officers in all three of the case study areas, the small size and population of Southshire there was less information for officers to accumulate and retain. For example, some officers displayed intimate local knowledge of a suspect, including; family history, home address, hideouts, friends and any previous, current or upcoming charges. These details were often used to apprehend a fleeing suspect:

3:20am Whilst driving around the town the officers spot a young man who is bloodied and sitting on the pavement. It transpires that he has been assaulted walking home. The assailant is known to the man and the Sergeant. Another police vehicle is called to tend to the assaulted man and the officers head off in the direction of the suspect's place of residence. Two minutes later the young man is arrested 30 yards from his home address. The arresting officer does not see the need to state the reason for his arrest and the suspect's lack of resistance at being arrested is read as an expression of guilt to the officers (Field diary, Southshire, 05/08/08).

Further to this, the majority of officers who frequently worked the NTE shifts would know the home address of the local 'drunks' who would be found in the town centre in various states of inebriation and then taken home in the back of the police van removing the need for them to spend the night in the police cells, a situation they perceived to be preferable to all concerned.

7.1.3 Spaybridge

The police map of the city centre demonstrates elements of both a dispersing and clustering within the same NTE but on a scale greater than the combined issues of Southshire and West Patrick. Whilst venues are spread across the city centre, there are two main areas where the majority of police resources are focused (refer back to map 5.3) to reflect the concentration of late night venues and associated amenities. However, such is the capacity of the venues involved and the potential for issues to occur, that officers, despite the higher number of front-line resources available to a larger force like that which covers Spaybridge, had been severely outnumbered to the point where this officer believed his safety could have been compromised:

Before you had SACN you had what was available in the city centre to police it. I've seen it on one nightshift where, it was a few years ago now, I was with a Special [Constable] and it was when there were three clubs open in and around [name of street] and [name of street]. There was six of us on duty in all. Two pairs were taken away because they were jailing people which left me and this Special for a couple of 1,000 people all coming out the pubs together at 2:30[am]. I went and stood at the junction of [name of street] and [name of street] and was watching everybody go past and this Special says to me, 'why did you pick this spot?', and I said 'there is a camera up there. We are the only two in the city centre and if we get a kicking then at least it gets videoed', and that is how I felt. You could get help from officers in the schemes but even with blues and twos on that is not instant (Spaybridge Constable).

The situation in Spaybridge was deemed a sufficiently significant issue for the police that the SACN (see section 5.3 for fuller description of the SACN) has provided 12 additional officers to cope with this large and geographically dispersed NTE.

The advantages of having the SACN officers was fourfold: officers can prevent incidents by massing at certain hotspot areas, particularly the 'northside' area; officers can respond to incidents and swarm faster and in greater numbers to reduce the severity of incidents; officers can provide more roaming patrol to provide cover for the areas in between the clustered areas; and whereas in Southshire and West Patrick officers are pulled in from the rest of the town to cover the NTE, officers in Spaybridge are afforded the luxury that if an incident occurs in their actual beat area they can leave the city centre without fear of seriously limiting the overall police 'high vis' deterrent presence.

Another measure introduced by the police of Spaybridge designed to regain and maintain control of the town's 'troublespots' was the decision to close the road which contains two late licensed food-outlets adjacent to the three largest nightclubs in the northside of the

city. At closing time of these nightclubs, hundreds, sometimes thousands, of people congregate on the pavement and road of this area to purchase food or simply to continue the night's socializing with their friends, and due to the high density of persons it is known by the officers as being a potentially major flashpoint for disorder. By closing this street from 2am till 4am every weekend night officers clearly identified this area as a trouble spot on their police map and sought to reduce these some of these public order issues by using their control of space to alleviate crowd density. Where previously the police mental map of the NTE in Spaybridge was one that contained numerous and serious threats to the control of 'their ground', now the mental map is one that is far more under their control and less likely to erupt into disorder.

7.2 The NTE as a place of ambiguous morality

Officers reading the local NTE landscape and prioritizing their front-line resources accordingly is only part of the wider craft involved in the front-line police work in the NTE. As seen in chapter six, the process of the law can influence an officer's decision to arrest someone or not (i.e. officer's perception of a lack of prosecution rates for breach of the peace in the NTE context). Another influence on how police react towards certain issues is the knowledge of limited and prioritized front-line resources (e.g. time to process someone once arrested, distance from holding cells, the number of officers who are already off the street to process someone, etc.). However, structural factors are only half the story; there are also numerous subjective influences that combine with these objective influences.

7.2.1 The role of alcohol: muddying the waters of ‘cop categorisations’

While the debate continues as to the linkages between pharmacological effects of alcohol and its role in disorder and violence, for the police operating in the front-line there is less ambiguity; alcohol consumption by the NTE patrons they deal with is seen as being a major factor in many of the issues they face. What are the consequences of this for the police? How do they deal with this?

One of the effects of this is unpredictable – and frequently negative – behaviour patterns exhibited by intoxicated members of the public they come into contact with. For example, a negative change in behaviour is almost expected of known ‘troublemakers’ when they are arrested if they have been drinking. The example below demonstrates that under such circumstances officers have to prioritise their safety:

1:50am The officers are called to return to the station as a notorious troublemaker in the town has been arrested and is drunk and behaving aggressively. The officers pull into the courtyard of the police station and await his arrival with two other officers who have also been called to assist. When the van carrying the man pulls in the noise he is making is already audible as he thrashes about. When the door is opened I am instructed to wait back well out of range of his flailing limbs. It takes six officers in total to man-handle him into a cell where the usual formalities of ‘checking in’ at the charge bar are foregone for the sake of everyone’s safety. Later the officers inform me that he is arrested on a regular basis but is “ten times worse when he has his drink on” (Fieldnotes, Southshire, 05/07/07).

That the officers referred to this individual as a ‘troublemaker’ is an example of what Holdaway (1983) and Reiner (1978) have argued is an attempts to categorising members of

the public into 'rough' or 'respectable' categories³⁵, depending on whether they challenge or accept the officer's construction of morality and the "middle-class values of decency that most police revere (Reiner, 2010:123). At the front-line of police work categories provide a basis of expectation for how persons are expected to behave and respond to police contact. Whilst such a reaction was expected by 'trouble-makers', for front-line officers the situation becomes more problematic when those who they would normally class as 'decent people' do not conform to their expected social roles and become unpredictable when arrested:

I mean I have brought in bank managers, you know people who are quite professional people, you know that through the day don't think that they would ever have got in that situation but with drink they have become totally different people (West Patrick Sergeant).

You can have a fighting, raging, drunk custody being brought in, wants to be fighting with the world, wants to self-harm, takes a lot of custody staff to search them, to put them in the custody cell and five, six, hours later and has sobered up you couldn't meet a nicer guy. It's the Jekyll and Hyde, it's the alcohol, the impact on their behaviour that's the problem. Not everybody is like that (Southshire Superintendent).

I witnessed numerous occasions during the fieldwork when arrested persons mirrored the findings of Man et al (2002), in that arrestees who had been consuming alcohol were more aggressive, abusive, disruptive and less-cooperative than those who had been arrested and had not been drinking, posing serious safety concerns for officers dealing with intoxicated persons. However, besides the behaviour of persons when they were arrested (a situation more likely to illicit a negative response), the very fact that these 'professional people' and 'nice guys' were even being arrested was an example for the officers of alcohol as being an

³⁵ Some of the identified 'police-relevant' categories include; 'good-class villains', 'police property', 'rubbish', 'challengers' and 'disarmers' (Holdaway, 1983); 'do-gooders', and 'politicians' (Reiner, 1978).

external and corrupting influence which confused the simplistic ‘good’ and ‘bad’ dichotomy that much police work is centred around. The craft of police work in the NTE, therefore, involves an inherent understanding that there is an ambiguous morality.

It could therefore appear that at least some officers, to an extent, appreciate that in this morally ambiguous context “intoxication is the norm, and that unruly and violent behaviour is a central feature” (Hobbs, et al., 2000:705). The result of this is that some officers see ‘immoral’ actions of disorder and violence through the prism of extenuating circumstances in an NTE context, and may conclude that these may be being committed by those who they, under other circumstances, view as ‘moral’ and law-abiding people:

They are not criminals ordinarily but they will do stupid things, and all it needs is a small spark, like they both fancy the same girl or a drink is spilled, it can be smallest of things that can get blown out of all proportion ...it might be a bunch of students, or a group of young lads, they don't mean to do it but they have got a drink on them, they are not in control, they lash out. Dealing with those people, who are not necessarily criminals but they do criminal acts (Spaybridge Sergeant).

Yes, don't get me wrong, if somebody does something that needs to be charged, say if somebody glassed somebody, you can't use your discretion (West Patrick Constable)

Such behaviour is a demonstration of where police discretion theoretically conflicts with the objective, in that their purpose is to act as law-enforcers, yet this is not a dereliction of duty, rather a reinterpretation within the context of a certain set of circumstances. The above extract also highlights a key factor in the discretion shown by officers towards certain incidents, namely that serious incidents are *never* tolerated, under any circumstances, and only lower-level incidents are tolerated within certain parameters.

7.2.2 Morality, pessimism & pragmatism

Unlike the unfortunate denizens of skid-row in Bittner's (1967) classic study, where officers believed that arresting someone on a minor charge was "a matter of such slight importance to the affected person that it could hardly give rise to scruples" (ibid:713), officers working the NTE work on the basis that the majority of denizens in the NTE are generally non-criminals and who for whom being arrested would have unwanted consequences:

If it is just a couple of people in the street trading a punch or two, is it worth criminalising two people when nobody is really hurt or whatever? (Spaybridge Constable).

There is of course the knowledge that a lot of these people are just decent people out for a good time and have had too much to drink. Sometimes you have to think that by the grace of god that could have been me when I was younger. A criminal record can seriously affect people's lives sometimes so it's not something you want to issue lightly (Southshire Sergeant).

It is generally understood that the 'good guy' morality of police work provides a deep reservoir for police officers to draw meaning and understanding from and helps to provide purpose and efficacy to their actions (Herbert, 1997). In the police officer's eyes they are one of the 'good guys' who serve to protect the public from the 'bad guys'. By playing up the negative consequences of arresting someone who has just 'had too much to drink', these quotes offer examples of officers justifying and rationalising their choice. As Reiner (2010) states; "it is important in understanding police work that it is seen as a mission, a moral imperative, not just a another job" (ibid:120).

It is also of interest to note that the officer in the second quotation above makes the 'there but for the grace of god...' comment, suggesting he can identify with the NTE patrons. Officers see themselves as the moral guardians of society, so to freely identify with disorderly and criminal behaviour is indicative of just how skewed the morality of the NTE is. This comment may also point towards the fact that many officers either frequented, or still do, the NTE themselves and may even have acted in such a fashion as deemed acceptable in that context.

However, many officers exhibited a sense of conservative declinism and attribute the problems in the NTE to a wider social and moral decline. For the majority of officers the connection between alcohol, violence, disorder and the majority of other problems they encounter in the NTE was clear-cut. A reduction in consumption would inevitably reduce these problems. However, some officers, particularly longer-serving officers, see the drinking and behaviours exhibited in the NTE as being indicative of wider moral decline and a social malaise of young people:

Personally we have lost it on the street due to personal manners, personal life. The drink, aye they can blame the alcohol, it makes them a wee bit braver and all the rest of it. There is more anti-social behaviour. Life has changed and seems to have changed quite a bit, behaviour of people, and I doubt we will ever get it back (Sergeant West Patrick).

Change things, improve it? I am afraid we have lost that chance. It is society itself. Drink... we maybe had 10 in the other night, and that's not a bad night, I have seen us with the cells full, and it was all minor disturbances, assaults, no knives which is always a god send, but it's all drink fuelled. But if you banned the drink, they would get something else (Southshire Inspector).

However, it is well documented that police officers can acquire these kinds of 'cynical' and 'pessimistic' views (Niederhoffer, 1967, Vick, 1981) about their job. Over time officers develop a 'hard skin' and a tendency to see all social trends in apocalyptic terms with them as the 'thin blue line' that stands between decent society and the forces of barbarism (Reiner, 1978). This cynicism is derived from the sense of mission and "police pessimism can be taken seriously only if order and stability are excessively valued" (Vick, 1981:121). Cynicism, therefore, is the "Janus face of commitment" (Reiner, 2010:120). There was also undoubtedly a generational aspect to these opinions. Some of the younger officers, some of whom still frequented the NTE as patrons, were less critical of the disorder and violence they witnessed possibly due to their own experiences and the expectations of the NTE.

Are such views merely the wider pessimism inherent in cop culture or part of a genuine NTE police subculture? It is hard to say definitively one way or the other. What is true is that, with regards to the NTE context, officers appeared to be particularly pessimistic about the impact they could make and the overwhelming majority of officers saw the policing of the NTE as a thankless task that was repetitive, dirty, occasionally dangerous and approached the issue in a jaded and resigned fashion. A significant number of officers also spoke of how they believed that the alcohol problems, not just in the NTE, contributed levels of crime significantly more so than illegal drugs:

Most of it is alcohol related, very little drug related, although drug issues are very much seen as people's way of venting their frustration, 'druggies this, druggies that'. Druggies cause us very few problems by comparison (Southshire Inspector).

When officers were asked to speculate as to how these problems could be addressed – such as by wider-societal changes or by interventions by state institutions – the majority of officers were confused or uninterested. Similar to the findings of Winlow and Hall (2006), these officers are “practical men [sic] dealing with real crime problems, and uncovering root causes was not part of their remit” (ibid: 164). Short of major reforms, the majority of officers did not see the situation improving any time soon:

Do we have to get to the grassroots of the problem and say alcohol is a blight on our society? Do we need radical overhaul in regards to alcohol? And the consumption of alcohol and if people can't be trusted to regulate themselves do we remove that freedom of choice from them and then put in these measures because of the effects of alcohol, whether its policing, health, whatever, the affect it has on families, violence within families, denigration of society in general....alcohol causes us huge difficulties right across society. It pervades every aspect of society in how much it costs, in terms of the NTE whether it be policing, A&E, long term health issues, break-down within families, and does it need radical issue in which to address that, and the answer is probably 'yes'. If we are ever going to effectively address it, it is not just policing (Southshire Inspector).

Alcohol is an accepted social drug. If it was to be invented now it would be banned. It is certainly behind everything and I don't know what you can do about it. It is there, it is cause of everything that we deal with (West Patrick Constable).

In Britain binge drinking seems to be a national sport unfortunately. The government, police forces, health agencies, have tried all sorts of things, but it is not a curable thing. People want to binge drink and they are proud of it. You hear people say 'I was out last weekend and got so pissed I couldn't even stand'. It is like a trophy to them, they don't see that there is anything wrong with it, they don't see the health effects that are building up for later on in life as they are young, having fun have to get paralytic and out their brains. I have been in the police for 11 years and that has been fairly constant, I don't think it has got any worse but at the same time I don't think all these initiatives have made it any better to be quite honest (Spaybridge Constable).

Whilst the majority of officers were undecided as to the solution, they were almost unanimously in agreement that the scale of the alcohol issue is underestimated, in part due to the accepted and socially/culturally glorified nature of the consumption of alcohol and the resulting intoxicated states. This was arguably the most consistent and generalizable attitude across all three case study areas, highlighting the extensive challenge presented to front-line officers.

7.2.3 Reduced culpability in the NTE

As chapter six described, the law is often flexible enough so as to allow officers to use their discretion, however, what informs officers decision to use their discretion is partly based on what Bittner (1967), when referring to similar actions by officers policing 'skid row' districts in America, described as the 'reduced culpability' of the context:

The people who come into the city centre for the NTE, on the whole, are decent law abiding people who want a drink. Some have a few drinks and the inhibitions go and they do stupid things. Others set out to do malicious things, but they are in the minority (Spaybridge Constable).

You need to be aware that people do daft things with a drink in them, and they are just that, daft things (Southshire Sergeant).

What the above quotations are highlighting is that officers use their discretion and take into account the specific context, mixing the structural concerns (e.g. time of night, type of offence, available front-line resources, time to process through the jail system) with the subjective (e.g. cop categorization of the person, estimated alcohol intake, affinity with the person, overall morality of the NTE). In essence, the NTE shapes the context of

interpretation and what the NTE means to officers and, thus, how they act. For example, as sections 6.1.1 and 6.1.2 demonstrated, officers can use the law in various ways to punish persons in ways other than arrest and a criminal charge, but officers can also choose to use a range of alternative, non-law sanctions, including verbal warnings to leave an area, further monitoring with CCTV, and ordering to desist or modify certain behaviours:

The cops do need to use a bit of discretion for the minor things...and a lot of people if you say to them, 'right you, get up the road', they will take that warning and think to themselves, 'ok, I am dealing with the police here', and that will be it finished. The majority come out, they have a good laugh, and a bit of leeway is given to them because they are out having a drink with their mates, they are relaxing, whether it is males or females (Spaybridge Constable).

You would normally try to get them dispersed first of all if they are causing problems, which may or may not work. We have the CCTV in the town centre so even if you are not physically following them you can still keep an eye on them by CCTV. That will often happen if someone has been causing problems at the door to a bar or club and the cops will radio into the CCTV folk to describe them and the CCTV folk will then follow them. Sometimes if folk have been warned by the police they are more prone to do some damage or they might not have calmed down if they been aggressive towards someone else so CCTV is a good way of following them and gathering evidence (Southshire Sergeant).

3:20am Whilst covering the exit to [name of club] the officers spot a young male who looks to be concealing something under his jacket. The officers approach and question the man and it becomes apparent that he and two others in his group have taken alcohol off the premises for consumption outside the venue and are in breach of the local bye law. The officers ensure that they pour out the remaining alcohol and return the glasses to the door staff of the venue. As they are cooperative and apologetic the officers decide to take no further action (Fieldnotes, West Patrick 13/03/10).

Whenever someone committing a minor offence can be induced to leave, be taken into someone's care or monitored by CCTV instead of direct visual contact by officers, the

officers believe that an arrest would serve no useful purpose and would in fact be an overzealous and unnecessary reaction. As Fielding (1984) notes, what defines 'competency' varies tremendously depending on a range of factors centred around the audience, the specifics of the situation and the influences acting upon the officer's, or officers', response to that situation. For example, "an officer who resolves a disorderly situation by making five arrests may be well-received by those wishing to demonstrate the high activity level of the organization, but the officer who resolves a similar situation by 'cooling it out', making no arrest, may be applauded by other officers who have to work that area" (ibid: 575). In a study conducted in the US NTE districts Berkley and Thayer (2000) came to the same conclusion; "Given the multitude of violations in large entertainment-district crowd, officers must carefully choose their battles. Citing every jaywalker, for example creates more problems (conflicts, debates, time consumed by disagreements) than it solves. Overly-strict approaches also drive away patrons and jeopardize relationships with businesses and excessively lenient styles contribute to unruly and illegal behavior" (ibid:480). Berkley and Thayer's last point about 'overly-strict' approaches driving away patrons is an aspect of policing that the officers in the case study sites were also aware of. During fieldwork officers often spoke of acknowledging the fact that the vast majority of both NTE patrons and premises were non-problematic and either out to have some fun or make a legitimate profit and they did not want to interfere with that or damage relations with the local population and business community³⁶. There are also strong echoes of Banton's 1964 pioneering sociological investigation of the police, specifically when he posited that the police often go to great lengths to 'keep the peace'. With regards to the latter, encompasses all occupational routines that are not directly related to making arrests.

³⁶ see chapter eight for a fuller exploration of these community/police relations.

Making an intervention, even one designed to merely 'keep the peace' can also inflame a minor situation further. A uniformed police officer's presence is not always a calming one and some people are adverse to anyone, let alone an authority figure such as the police, arbitrating a situation they may interpret as personal:

It can be quite minor stuff, and with the best will in the world, it would probably sort itself out a lot of the times, but as soon as you get the police there, alright it can calm the situation down, but sometimes you can inflame it as well (Southshire Constable).

7.2.4 The 'colloquial license'

A manifestation of this reduced culpability is when some officers permit intoxicated NTE patrons to 'have a laugh' with them, granting them a certain "colloquial license" (Bittner, 1967). Banter, jokes, taunts and even occasionally minor threats directed towards the officers working in the NTE are generally dismissed or even occasionally sometimes returned in kind:

The banter comes your way, 'waaay it's PC Plum!', or whatever, have an answer for them. The answer 'hey, don't say that', what is that? You have got to work with these people. I know that when I have a few drinks I am not the same as I am now. I am not malicious, I am not bad, but some inhibitions go, you are a bit more 'oh come on, I was just having a laugh', you know, as long as it doesn't go over the score then you should work with them (Spaybridge Constable).

This form of verbal sparring would be, like the low level public disorder offences, less tolerated at other times of the day and in different situations consequently it is specific to the NTE context. This privilege is limited, however, and is only tolerated if the individual is

deemed not to represent a further risk and they do not challenge the officers' authority or refute any requests they may make, such as directing someone to leave the vicinity or provide personal information. Furthermore, the extent to which this colloquial license can be pushed is purely dependent upon the individual officer's personal discretion, if indeed an officer is willing to grant it at all. Some officers may interpret such verbal sparring as an affront to their authority and may act – either by making an arrest or taking another form of sanction – to ensure they maintain the general peace of the area or to not appear weak in the eyes of any watching member of the public or their fellow police colleagues:

I find that as a personal thing, maybe as an old toe-rag, but I find that when you deal with things people realise what's happening to them. Say no tolerance, someone starts swearing about, they get warned. Maybe in days past they won't even get a warning because it wasn't expected then. Now, it seems to be expected that they swear at the police. If they are in society they shouldn't be doing that. I am no into accepting that, or accepting my shift being abused, and if I go about and hear them being sworn at then they get asked by me what they are playing at because to me it is just a start, and if they abuse the police they are going to start to abuse everybody. If they can walk on by and they think 'they are quite happy with that', then they will start on somebody else who is maybe not as brave, or is a bit drunk, they will react to it (Southshire Sergeant).

One officer told me a story of a fellow officer standardizing the limits to the colloquial license he was willing to grant by using what he called the “five second rule”, whereby if he was sitting in a police vehicle and was the subject of verbal abuse from an NTE patron he let the incident pass but would also wind the window down. If during the five ensuing seconds he was verbally insulted again he would jump out the van and “deal with the guy”. For this particular officer, this ‘five second rule’ was a way for him to formalization his subjective interpretation of what was acceptable behaviour, regardless of what other officers may have taken into account in the same situation (e.g. the perceived level of the persons

alcohol intoxication). This general ‘colloquial license’ exhibited by many of the officers across all three case study areas support Reiner’s (2010) claim that cop culture is a “patterned set of understandings that helps officers cope with the pressures and tensions” (ibid:118) they confront. Reiner’s claim that the process of transmitting this culture is mediated through stories, legends and jokes was also supported by the example of the story of the officer who used a “five second rule” to determine how and when the colloquial license was breached.

7.3. The NTE as a place for adventure?

In the police based literature, much is made of the hedonistic, action-centred aspects of cop culture (Holdaway, 1977, 1983; Herbert, 1996; Westmarland, 2001). This is linked to the ‘mission’ of police work; that it is a more than just a job, and is done for a just and worthy cause; protecting the weak and vulnerable in society from the predatory. The mission of policing is seen as “fun, challenging, exciting, a game of wits and skill” (Reiner, 2010:120) and officers are said to “enjoy a scuffle, to arbitrate authoritatively and perhaps make an arrest for a minor offence” (Holdaway, 1983: 41). With such high rates of crime being committed in the NTE, it should theoretically present an ideal for officers to exercise their ‘wits and skills’, but as I’ve demonstrated, many officers are extremely cynical about their ability to affect change in the NTE context (see section 7.2.2) and the lengths that some will go to avoid making arrests. The question is, then, to what extent is machismo and adventure seeking an aspect of policing NTE subculture?

7.3.1 'Thrill of the chase'

One of the most obvious physical manifestations of the machismo cop culture is the 'thrill of the pursuit' of a fleeing suspect. Herbert (1997) states that the thrill is key to the sense of adventurousness in an officer's professional identity as it "provides danger and demands instant reactions" (ibid: 83). Some officers in this research project spoke of their pleasure in the chance to 'hit the blues and twos' (i.e. the police vehicle lights and siren) and proceed at high velocity to the scene of the incident. On several occasions during the research I witnessed the pursuit of various suspects, and on the occasions when there was a successful capture there was a clear sense of 'victory' for the officers involved:

2:20am Whilst on general patrol in the town centre one of the officers spots a car pulling out of an unlit alley and accelerate at speed. Due to the one-way road system they are unable to pursue the vehicle directly so the officers call into the CCTV room to provide details of his direction. Within a few minutes of fast-paced driving with the blue lights flashing they have the suspect – a young male – in custody. He is breathalysed and is slightly over the limit which is enough to merit an arrest. Though the pursuit is over relatively quickly and the offence minor, up until that point the night had been largely uneventful and this minor event signified a chance for the officers to jump into action and actively pursue a suspect, a prospect which they visibly relished (Fieldnotes, Southshire, 27/08/08).

11:30pm The night is interrupted when a call comes over the radio stating that an anonymous phone caller has reported seeing two armed civilians walking into a [fast food restaurant] restaurant on the outskirts of the centre. The officers rush to the scene and inside the van the relaxed and jovial mood changes to one of complete seriousness and I am informed that call to firearms is not your "everyday run-of-the-mill stuff". A quick scan of the area when they arrive quickly reveals that the call was a hoax. Although a situation involving firearms is not a desired one, the officers seem almost let down by the lack of a serious event to deal with. One of the officers later confesses to me that they live for the adrenaline rush they get under such circumstances and it is their favoured aspect of the job and the reason they joined the police (Fieldnotes, Spaybridge, 22/05/09).

The second extract above also demonstrates another feature of the machismo attitudes in cop culture; the downplaying of personal safety. Although a firearm may have been involved in this scenario, the officers sped to the scene actively looking for the chance to pursue and face a potentially violent foe. Although this event ended in a lack of actual action, it still demonstrates the excitement and pleasure gained from the adrenaline rush that comes with attending a serious event. Whilst in pursuit of a fleeing suspect, officers who favour adventurism view space in terms of the quarry they can capture and the necessary tactics that need to be employed to do so. When there is real threat to life and liberty a capture is seen as being all the more courageous, as the officers' subsequent confession to me represented.

However, whilst machismo attitudes are prevalent in general cop culture in incidents such as the pursuit of a fleeing suspect, the NTE context appears to represent a particularly dangerous time for front-line officers with regards to personal injury:

Q: Have you ever felt in personal danger during the NTE?

A: Oh yes, definitely.

Q: Is that more so than during the day?

A: Yes, I think it's because of the greater numbers [during the NTE]... it's difficult to say, you don't always know what you're going to sometimes, but certainly there is more scope for it at the night-time because even if your arresting somebody you might find that other people are wanting to get involved, so yeah, on balance it's more likely to happen at night (Sergeant, Southshire).

I think that through the day you have got more members of the public that are observing what the police are involved with, people aren't under the influence of alcohol. When you're there at night you have a mass of people all under the influence of alcohol and you have got maybe two police officers

trying to deal with it. You have got people who are unpredictable whereas you have got people during the day they might be more predictable and they haven't got all the other elements going along with them. So yes I would say that definitely (Constable, West Patrick).

Anecdotal evidence, such as the quotes above, suggest that assaults on officers are more common in the NTE context. Official data profiling the time and location of assaults on police officers is limited, however, it has been reported that assaults on police officers in Scotland are reportedly the highest in the UK³⁷ and previous research in England and Wales found that assaults on police “were most closely associated with public disorder problems, and the consumption of alcohol by assailants played a contributory role. Given the timing and location of assaults it is reasonable to assume that a good number arose when pubs and clubs closed and many young people were turned out into the streets” (Brown, 1994:6). Whilst official data is limited, the evidence from this research demonstrates that there is perception amongst some officers that the risk of assault or injury is higher in the NTE context. Anecdotal evidence from this thesis also suggests that strenuous resistance to being arrested by intoxicated persons means a higher chance of those being arrested inadvertently injuring themselves in the ensuing struggle. However, the increased risk of personal injury and harm that officers face when policing the NTE was generally played down and seen to be just ‘a part of the job’:

I think the risk [of being assaulted] is increased drastically [in the NTE]... I think a lot of folk accept that it is going to happen. I don't think anybody accepts that it should happen. It is not nice when it does, but certainly it is not accepted that 'yes, it should happen'. I think everybody knows that it is likely to happen and it does happen every now and again and you get a sore one. At the end of the day, we are given all the safety devices and techniques to try and stop it from happening, which we

³⁷ James Kirkup and Michael Howie, ‘Scotland worst in the UK for attacks on police’, *Scotsman* 27/04/07.

do as much as we can, but you are always going to be in the thick of it at times (Constable, Southshire).

7.3.2 The fear of 'losing control' of the street

For many of the officers the real fear was not the threat to personal safety, but rather that they could be so overrun with incidents that they lose control of the streets. According to Herbert (1997), for officers to lose their territorial control represents an affront to police authority, but when discussing their 'fear of losing it', or times when they believed that they had in the past, officers spoke only of their concern for public safety and their inability to ensure this. At the end of the licensed hours the sheer numbers of NTE patrons that emerge simultaneously on to the public streets and high levels of intoxication and the knowledge that small scale incidents can escalate to unmanageable sizes extremely quickly tempers any desire for 'action' or 'adventure' seeking:

Q: Have you been in a situation where you have felt like you are losing control of the streets?

A: Yeah you can get times like that, 'cause if we are spread thin on the ground you only need one reasonably sized incident and you can have the whole shift there. If something else happens elsewhere or even in one of the estates for instance you are then struggling and people can get hurt. It's frustrating (Constable, West Patrick).

Despite the best efforts of the police such large scale incidents are not uncommon in the NTE. During such an incident the basic and fundamental priority just to maintain control of the public streets can override the necessity to deal with other minor incidents in that area, e.g. someone who has thrown a punch on the periphery of a larger more serious scuffle. Commenting on such eventualities, two officers stated:

It comes down to call priority. If they are looking at whatever officers we have got on, we have got to prioritise by degree of importance, what we are actually responding to. There is some calls that don't get responded to, and we call them back as often as they come and say 'we will come round tomorrow, it is maybe not something that needs to be responded just now. Sorry we can't get there'. But certainly if there is trouble in the town, if there is a lot of trouble potential, it sucks in the officers, and we can only then provide almost a fire service response to the outlying area, so it 'as needs' basis. So we are not actually seeing, and maybe preventing, issues in the outlying areas. It could be a group of kids who are getting more and more out of control, we are getting that report through, 'we can't send anybody out just because we are dealing with these things', and unfortunately it is only when it takes off that we are sending officers. So that in itself is self-defeating because if we could have been out earlier we could have dispersed them, the problems would never have occurred. So then we would then not have more victims, if you like, and need to deal with that (Southshire Inspector).

I can only really speak for Southshire, but you would tend to want the car that covers this side of the water to be round about the town centre, and you would want the car that covers the schemes on the north west of Southshire and other areas might be more liable to be in that area. But certainly when it's spilling like that [end of licensed hours] other things will tend to go by the board. With the best will in the world you gravitate towards the town because that's where the people are. It's prioritisation (Southshire Sergeant).

In the NTE, where there are high rates of crime and disorder, there are plenty of arrests to be made and events that could appeal to officers with machismo sensibilities. However, based on the fieldwork findings, the overwhelming majority of officers sought peaceful and 'quiet nights' that were largely 'trouble-free' compared to action filled and 'busy nights'. This supports the argument that much of police work is also "boring, messy, petty, trivial and venal" (Reiner, 2010:20) and there is a tendency for police studies to play up the 'cult of masculinity' (Waddington, 1999) and to overlook the lengths that officers will go to avoid trouble (Chatterton, 1979, Norris, 1989), particularly at the end of a long shift. As one Sergeant commented:

When it gets to this time [3:00am] and you have been on since 4pm, I swear all you are thinking is 'I want to go home, I want to go home, I want to go home'. Nights like these you can get tired and bored, particularly about now (Sergeant, Spaybridge).

For this officer there was no glory to their task, no adrenaline rousing chases, just the banal and mundane task of standing on a wet street corner watching crowds disperse. Another example of the absence of a machismo attitude in the NTE context was when, time permitting, officers would generally take a short tea/food-break about midnight and often described the time as 'the calm before the storm' (i.e. when officers would be busiest responding to incidents related to the ending of the licensed venues operating hours). During this time the officers would often discuss how busy they perceived the remainder of the shift was going to be based on their earlier workload and the 'feel' of the night. With few exceptions the majority of officers spoke positively about the shift if it had been relatively quiet and hope it would continue to be so, whereas if the shift had been busy many officers would be negative in their expectations for the remainder of this shift.

7.3.3 A critical view of machismo in the NTE

Strong and decisive action by officers is often associated with a machismo attitude and is revered, as used properly it can be an effective way to settle incidents quickly and authoritatively. However, in the NTE context exhibiting a machismo attitude when dealing with members of the public can be problematic. As already mentioned above, much of the police role in the NTE involves 'peace keeping' duties involving non-direct action. Officers too interested in the 'gung ho' style of police work can often neglect these important duties.

Skills such as compassion and patience (skills often seen as anathema to machismo) are often more constructive to the objective of controlling space than courage or strength. For example, in disputes between two opposing parties, it is often not clear who, or even if there is, a 'bad guy' and officers who like a clear distinction between 'good' and 'bad' so they can identify and capture a culprit can be left exasperated by the slow and methodical approach to much police work. In the NTE context officers constantly have to deal with ambiguous incidents where it is not clear who the guilty party may be. Significant amounts of time can be spent by the officers simply trying to assess what had occurred due to the impairing effects of alcohol on communication, judgement and assessment of what had occurred by those involved in the incident. As the NTE is time for friends to socialise and come together with their peer groups the NTE is also prone to incidents involving a high volume of people where one or more people may escalate the incident beyond the original numbers, further complicating the situation for officers to untangle and can require high amounts of patience on behalf of the officers after an initial intervention. Officers who do not display this patience can risk aggravating a situation even further:

3:15am The officers that have been covering the smaller of the three nightclubs are called to an incident outside the only bar in the town that is licensed till 3:00am. A man is lying on his back unconscious and appears to be badly wounded. At least 20 people are milling around in the immediate vicinity of the incident and all are giving information, requested or not, to the officers in various scales of volume and intensity, two of whom are the mother and sister of the victim and who are clearly in distress. Two more officers arrive shortly after and attempt to discern what has happened as the other officers take care of the injured man. The younger of the officers is told to order the crowd as the more senior officer conducts interviews. Whilst dealing with a member of the crowd who is trying to give his unasked for version of the incident the younger officer becomes visibly agitated at his lack of compliance to step from the scene. After a few seconds the officer grabs the man by the throat and shoves him against a nearby wall and gives him a stern warning to leave the

vicinity of the area. Once the man is released he becomes extremely aggravated and refuses to leave the scene until he has spoken to the officer in charge. Hearing the commotion behind him another officer has to disengage from his interview to calm the situation down before it escalates any further (Fieldnotes, Southshire, 25/06/07).

As above example show, what appeared to be an overly zealous machismo attitude led to a situation where an on-going investigation into the earlier incident is interfered with as a direct result of the younger officers impatient and 'gung ho' measures to control the scene. Such actions are indicative of the machismo style officer – variously described by many names but referred to as the 'new centurion' by Reiner (2010:120) – and is indicative of less experienced officers who have still to learn the 'craft' of policing the NTE. Having the experience to tell when a machismo fuelled attitude may be unhelpful and can risk escalating a situation is something that officers described as evolving over time and more long term serving officers have learned when to balance these impulses:

The lack of experience shows sometimes with the younger officers, I guess that's inevitable in any profession though. If anyone challenges them at all in a threatening manner then they reach for the CS spray. I mean I have never used it once, very rarely had to use force of any kind ever. But the younger ones are trained with it from the start now, they are used to it, but seriously often all the situation needs is for someone to talk to them and calm things down. Once you take it 30,000 feet high it takes a lot to bring it back down! (West Patrick Sergeant).

The above section highlights how the machismo/adventure and hedonistic love of action aspect of police work that is often cited as being a major appeal for officers (Holdaway, 1977, 1983; Herbert, 1996; Reiner, 2010; Westmarland, 2001) is perhaps the aspect of cop culture that is most at odds with the finding of this thesis and clearly identifiable aspect of the subculture of the police work in the NTE. The chase of a fleeing suspect undeniably did

provide officers with a momentary thrill of the chase which draws upon machismo characteristics, however these occasions were rare and the majority of police work in the NTE (e.g. crowd control and dispersal, high vis presence, dealing with intoxicated individuals, etc.) provided little opportunity for adventure.

7.4. Summary

The discussion in this chapter of the subjective influences on front-line police work has dovetailed with objective influences described in the previous chapter to provide a complete critical appraisal of Herbert's normative order conceptualization of police territoriality. This chapter demonstrated that, like the objective orders, the subjective orders (machismo, safety, competency and morality) were all found to exert influence, to varying degrees, but were specifically tuned to the NTE context.

For example, whereas in the context of Herbert's study in Los Angeles there was often conflict between orders in relation to territorial danger (e.g. chasing a fleeing armed suspect), in the Scottish NTE context the orders were conflicting when set against a desire to 'keep the peace' e.g. when choosing not to arrest someone officers balance the role of alcohol and the nature of the NTE (morality), being aware of the front-line resources available (competency), not wanting to inflame a situation by intervening or lose control of the streets (safety). In opposition to the normative order of machismo – and much of the police literature – the police working at the front-line of the NTE also desired a relatively 'quiet night' i.e. a night where they have enough to do but are not overworked to the point where front-line resources become severely stretched. This is a finding unique to this thesis

and contributes to the police based literature. I have termed this balancing of NTE context specific influences the 'craft of policing the NTE'.

However, the picture of the policing of the NTE in its broader sense – the picture which this thesis is attempting to portray – remains incomplete in so long as the other members of the security governance remain out of the frame. As chapter three demonstrated, and has been alluded to throughout this thesis so far, policing now involves multiple agencies and technologies collaborating and the NTE context is no exception to this. Chapter eight, then, broadens the scope of the thesis beyond the police and incorporates these other security providers.

Chapter Eight: Security networks and the policing of the NTE

As chapter three discussed, police work and policing have undergone significant changes in the past few decades, despite the debates regarding the exact speed, extent and novelty of these changes. The most significant change has been the growing number and diversity of the non-police bodies which now carry out varying policing activities. The list of what constitutes these policing bodies – or ‘capable guardians’ as termed by the Home Office (2004) – is extensive in the NTE³⁸, as are the variegated mix of partnerships and networks being formed by agencies “including police, local authorities, health trusts, the licensed trade, security companies, resident groups, and charitable/voluntary agencies” (Hadfield, 2009:466).

Crawford (2003) argues that the relationship structures between the police and other policing organisations can be categorised into various models, including ‘integrationist’, ‘steering’, ‘market’, and ‘networked’. He claims that the ‘networked model’ is the most prominent in contemporary policing, although he cautions that the term ‘networked’ “tends to imply an overly organised understanding of highly fragmented local security arrangements” (Crawford, 2003:160). At this level of conceptualisation of policing, where the local context exerts an influence, it is useful to bring in Wakefield’s (2003) ‘security quilt’ framework which incorporates the complexities of contemporary policing as it plays out across space in a patchwork provision of security. This chapter, then, turns to examine the

³⁸ ‘capable guardians’ (Home Office 2004) and are defined as being “anything, either a person or thing, that discourages crime from taking place” (ibid:11) and are listed as including anything from police patrols, door staff, locks, barriers, CCTV, neighbours, fences, and vigilant staff and co-workers.

key NTE security providers³⁹ in the case study locations, specifically focusing on the nature of their relationship with the police, and whether these relations are fragmented across space.

8.1 Public space CCTV in the NTE

One of the main security providers in the NTE are CCTV operators. CCTV systems also represent an important part of the increasing role of technology in the pluralisation process in policing. In Scotland, there are approximately 2,200 public space cameras, and it has been estimated to cost £40.9 million to run over the next three years (Bannister et al., 2009). A significant part of the campaign and justification for such an expensive ‘rolling out’ across the UK of CCTV⁴⁰ has been the economic benefits that are brought to an area as a result of its ability to reduce crime and increase consumer confidence⁴¹. However, CCTV systems effectiveness at reducing crime during the day-time has been disputed⁴². The findings from this research suggest that the use of CCTV in the NTE context is complicated even further.

³⁹ This chapter is not designed to be a comprehensive review of the role of all these capable guardians in the security networks of the NTE as extensive reviews have been conducted elsewhere. Instead, I have selected the key stakeholders which were identified as playing the most prominent role in these security networks in the three case study areas.

⁴⁰ In the past two decades the number (total number of cameras in the whole of the UK estimated as high as 4.2 million⁴⁰ (Norris and McCahill, 2003)) and cost (estimated cost of £500m local government funds during 1995 – 2005, (McCahill and Norris, 2003), and £4.5bn private funds during the same period (Norris et al, 2004)).

⁴¹ See Fyfe and Bannister, 1996, for Glasgow example, and Coleman and Simm, 2000, for Liverpool example.

⁴² In a comprehensive 14 site case study review of the efficacy of CCTV systems, Gill et al (2005) found that only one site had a ‘statistically significant’ decline in crime rates that could be directly attributed to CCTV. Groombridge (2008) has gone as far to suggest that such ineffectiveness of these CCTV systems means that “the Home Office, and therefore the Treasury, has wasted enormous sums of tax payer’s money on the deployment of CCTV” (Groombridge 2008: 74).

8.1.1 The 'extra pair of eyes'

Like the majority of the CCTV systems in Scotland (Bannister, et al. 2009), all three systems in the case study areas are owned and controlled by local authorities, which the police monitor on their behalf. The CCTV operators were all civilian staff and as such provide an example of a 'steering model' of policing i.e. when police seek to govern the policing activities of others and provide coordination and guidance.

One of the central ways in which CCTV operators facilitate officer's work is providing real-time information that they would not otherwise have access to. During the course of a nightshift, officers in all three case study areas constantly engaged in a dialogue with the CCTV operators, seeking any additional information they could provide them with. This information can be proactive (e.g. operators can direct officers to an incident) and reactive (e.g. operators can inform officers of nature of the incident, who and how many are persons are involved, and in what capacity):

They are usually on things and they will say, 'there is a disturbance pending', maybe watching people on cameras and saying, 'this is maybe getting a wee bit out of hand', and they can then direct officers to stamp it out before it does get out of hand, four people get assaulted, someone gets glassed, so from that point of view it is an extra pair of eyes for us over the town centre. (West Patrick Constable)

Regarding an ongoing incident where there is a police presence but they may have overlooked a potentially important piece of information pertaining to an incident, CCTV can again provide an 'extra pair of eyes':

The CCTV will pick up a lot of things that we don't see walking down the street because they would see us will hide things, a lot of drink gets hidden and obviously folk aren't aware that the CCTV is watching them and they will be standing drinking and hide the drink, or hide a weapon, or something like that but the CCTV will pick up on it. If they see us coming up the street they would see us before we see them (Spaybridge Sergeant).

While CCTV operators can advise officers, officers can also direct CCTV. For example, officers can request CCTV operators to monitor situations or persons if they require it i.e. to 'keep an eye on things', thereby allowing officers turn their attention elsewhere. The images captured by CCTV cameras also serve as an important reactive element to police work in the form of providing evidence of events which can be used to instantly review a situation (e.g. establishing a person(s) who have committed an offence):

[CCTV is] The best evidence a lot of the time, because if there is a big fight or an incident it tells the truth of what has happened and not necessarily what someone's perception was of it. So you can sit and watch it back afterwards when you have got one person tell you one thing, and another person tell you another thing happened, and you can get the truth (Spaybridge Constable).

I am shown a clip from a situation that occurred the previous week during a night shift which the shift sergeant I am currently with was on duty. The footage shows a pair intoxicated men in an unequal fight with one man being punched and then repeatedly kicked whilst lying on the ground. The start of the fight is off-centre and has gone unnoticed by the operator. When the fight moves from the side of the street and into the middle of the pedestrianised area the camera zooms in and the perpetrators can be seen clearly. Shortly after this the police van rolls into view but by now others have joined the scene and the fight itself is over. Unaware of exactly who has committed the offence the officer lines up three suspects so that they are in clear view of the camera and then asks the operator to review the footage and identify the guilty parties. After a brief pause the sergeant is seen to listen to his radio and then proceeds to correctly arrest the correct perpetrator (excerpt from field diary, Southshire, 02/08/08).

In the long term, CCTV footage can be used to provide evidence in the courts days, weeks, even months after an offence has been committed. Officers commented that statements taken from persons in the NTE are often disjointed and incoherent, and made through the fog of an alcohol tainted memory, leaving the reliability of recollection even more uncertain as evidence and open to exploitation from the accused's defence lawyers than is usually the case. However, in comparison the captured and recorded images and data from CCTV cameras are objective and irrefutable. An officer commented, "There are always three sides to every story when there are two people involved; what one person says, what the other persons says, and what actually happened". The same officer continued, stating that CCTV footage is:

... also good for the courts. I have got lawyers who I have known for a while, who go 'you're not playing fair now!' because we produce the CCTV and they are like 'we can't argue with that', whereas before they could call you a liar, or try and 'suggest' that you were 'mistaken' [laughs]. Not nowadays when you're going 'watch that CCTV then' (Southshire Sergeant).

Officers also perceived CCTV as not only providing evidence to prosecute individuals who had committed an offence but also as a form of defence against frivolous or malicious claims made against them:

[CCTV] is good for evidential and our security, evidence, back-up. People make complaints about us willy nilly, very easy, and the first thing I go for these days is CCTV, 'is that caught on there?' (Southshire Sergeant).

The findings from my research found that the police extensively use CCTV for a variety of policing purposes and that its use had overwhelming support amongst officers mirroring the

findings of Levesley and Martin (2005) who found significant support for CCTV by police officers in a multitude of contexts. This also shows the benefits that a steering model of policing can bring to front-line police work.

8.1.2 Drawbacks of CCTV in the NTE

However, there are some caveats to the success of CCTV. Firstly, while one officer did mentioned that “some guys might go round the corner to be out of sight of the cameras” (Southshire Constable) – raising the issue of crime displacement – no other officer interviewed commented on the deterrent effects of CCTV, blaming a lack of awareness (or lack of caring) of the presence of cameras due to the influence of alcohol. The findings from this research project mirror those of Gill and Sprigs (2005) in that “impulsive crimes (e.g. alcohol-related crimes) were less likely to be reduced than premeditated crime” (ibid:vii) where CCTV was present. These findings were also noted by Justice Analytical Services Police and Community Safety Directorate Scottish Government (2009a), which drew the conclusion that when alcohol is involved “all sense of judgement is impaired, the potential deterrent impact of CCTV is automatically diminished; and secondly, that public space cameras, such as those outside nightclubs, may largely go unnoticed” (ibid:12).

Secondly, some longer-serving officers saw CCTV as being symptomatic of the wider trend of an increasing overreliance on the technology claiming that before the arrival of CCTV, officers would have to try and establish what had occurred at the scene of an incident purely through their own judgment and skills as communicators, whereas now officers are far more inclined to radio the CCTV operators immediately and establish what had been

caught on camera. The concern expressed was that this reliance on technology dampened their overall 'detective skills' that are honed through experience and intuition, and formed part of their 'cop culture'. These skills were perceived to be lacking in some of the newer recruits.

Thirdly, the majority of the remaining issues pertaining to CCTV are directly related to the inclusion of non-police employees into aspects of front-line policing. As section 8.2.1 demonstrated, CCTV operators can have a direct influence on front-line police work, however, with the exception of Special Constables⁴³, civilian staff are removed from front-line police work and are in supporting roles (e.g. crime data analysts, forensic science, administrative support, etc.). As chapter six and seven have shown, there is a learned set of skills that officers acquire that are shaped around the situational exigencies of the NTE context. CCTV operators do not have such front-line experience and with no currently formal standardized training, individual operators base their decision-making process on their informal 'on-the-job' training and personal interpretation of incidents, the result of which can lead to different levels of skills between specific operators. One potential consequence of this is over-reporting, where CCTV operators relay every minor incident they see through the cameras to the officers. Whilst officers commented that the practice of over-reporting was more favourable to them than under-reporting, an overly zealous

⁴³ Though they are voluntary (they receive travel expenses and allowances from the police forces, plus a £1,500 'recognition fee' if they complete the required 180 of service and a £500 for 90 hours), in Scotland Specials are defined as "members of a police force" under the terms of the Police (Scotland) Act 1967, wear identical uniform to actual officers, and have a range of duties they can perform. In this sense, the Specials can be conceptualized as representing an 'integrationist' model of policing. Specials often appeared to volunteer at weekend nights when they had the most spare time from their other forms of employment, however across the case study sites their numbers were limited; in Southshire they were described as being extremely useful, however in West Patrick there were no Specials deployed during the research period.

operator can be guilty of lacking awareness of the need to use discretion and to prioritise certain incidents over others. The quote below provides an example of this:

CCTV can be our worst enemy in so much that before you would maybe have two guys that are friends, they both fancy the same girl, they maybe have a bit too much to drink, they have a bit of a falling out, and they have what we call a 'handbags at 50 paces' type fight. It's not serious. However, our CCTV operators will see it and all of a sudden it gets escalated, 'there is an assault ongoing', and you get there and you find out that it's nothing really. In days before CCTV and mobile phones they would have thrown a punch at each other, they both would have gone off home and in the morning they probably would have made up, and it suddenly becomes that we are criminalising these people because we have then got to go round and be seen to be doing something about it when really it didn't need that. We can use our discretion. If it really is obvious that nothing needs done, we don't have to charge them but then sometimes we have to justify to our bosses why we have used that discretion and you often get more hassle for that, 'why didn't you charge them', 'well it was only a very minor assault and no-one wants to press charges', and we then find that we have to go and chase up people up for rubbish really (Spaybridge Constable).

In the example above, the officer interprets the incident as being 'no more than handbags at 50 paces' when placed in the context of the NTE, however, as a result of the CCTV operator noting the incident the officer's discretion is removed. If the incident is reported his actions could be questioned by a superior officer, bringing his subjective decision-making into direct conflict with the objective orders bureaucracy and the law. In one example, officers expressed to me their preference for a specific operator over others due to their perceived ability to facilitate their job:

We are lucky we have a good guy...but there was times when there would be a cross over in shift and this guy would take you to everything and anything till you got there and you could actually see what was going on and it was like 'there is nothing actually happening here', so it was taking you away from something that actually was happening the other side of the town (Southshire Constable).

Such inconsistency may well be an unavoidable risk when including civilians in a steering model of policing, specifically the inclusion of civilians into the 'immediate police family'. In agreement with the findings of Bannister et al (2009), I would argue that in order to circumvent these issues as much as possible is the "clear need for rapid progression towards uniform required standards of training for CCTV operators and supervisors in Scotland" (ibid:8) to maximize the potential of CCTV and its many uses in the NTE context.

8.2 State licensing regulatory bodies

In Scotland, the licensing regulatory process is the key tool to controlling the time, place and type of activities permitted to operate in the NTE context. As such, those agencies and bodies working for the state are central actors in shaping the NTE at the national and local scale. However, as discussed in chapter two, these state agencies are more likely to work together with the licensed trade where possible. In this situation 'sovereign' state strategies are used predominately as a threat to encourage the preferable 'adaptive' strategies of crime control. When applying Crawford's policing models to this context the 'networked' model of policing, where plural policing providers link together in horizontal partnerships in local security provision, would be the most suitable fit. In this situation the police are acting as knowledge brokers, expert advisors and security managers. From the evidence gathered by this research it would appear that this is the situation in the case of the three case study areas. However, there were also important locally specific influences that affected the regulation process.

8.2.1 Police licensing departments

The main point of contact for the police with the NTE other than the front-line interactions is the licensing department and Licensing Sergeant (of the three case study areas West Patrick was the only one to have a designated Licensing Sergeant). The licensing departments are made up of civilian staff in an 'integrationist' model of policing, and are directly overseen by a designated Licensing Sergeant or at arms-length by a Licensing Supervising Officer, generally of Inspector rank or higher, whose role is part of their wider portfolio of responsibilities. The relevant officer in charge of the licensing in each area is generally the designated police representative on behalf of the Chief Constable required by law to be involved in the licensing process (Licensing (Scotland) Act 2005) and is extensively involved in providing expert advice and information on licensing issues in the locality. Their role is to "look at all issues to do with the operation of the license and the license premises" (West Patrick Licensing Sergeant) and to use their powers and influence on the legislative process to encourage 'good practice' (e.g. 'responsible' sale of alcohol, maintain training standards, general security, etc.), and to discourage and amend 'bad practice' (e.g. selling 'irresponsible' drinks promotions, allowing excessive drunkenness of customers, poor layout of venue, etc.) of members of licensed trade with a view to having direct and positive outcomes for their officers working at the front-line. As the Licensing Sergeant of West Patrick neatly summarised:

If you think about it as defining the police involvement with the licenses as being from the pavement in and all the conditions within that premises. If the running of that premises can be attributed to alcohol related disorder, violence, drunkenness, any associated offences under the Licensing Act or any common law offences, for example a license holder permitting excessive drunkenness of the premise by basically taking a nights takings off of this person and then putting them out into the

social debris, for want of a better word, that occurs on the street afterwards, then we act. If you think of the pavement out, the operational policing of it's the Superintendent's responsibility (West Patrick Licensing Sergeant).

The reactive process the Sergeant is referring to above, i.e. how the attributing of issues to the running of a premises, begins following the occurrence of an incident (e.g. an assault) in or near a licensed premises. At the scene of this incident the attending officers make a subjective decision as to whether there were situational factors that contributed to that incident (e.g. the assault occurred due to poor selling practice). Upon deciding that there were such situational factors involved the officers can make a report which is subsequently sent to the licensing department. This report is assigned a level of priority based on the severity of the incident, the level of implication by the licensed premise layout or (in)actions of the premise operator or staff, and then cross-referenced against any previous reports pertaining to that location. If any practices are adjudged to be examples of 'bad practice', having led to incidents of crime and disorder, or be in conflict with the five licensing objectives set out by the Licensing (Scotland) Act 2005⁴⁴, then a request can be put in by the police that a personal license or premises license be reviewed by the local Licensing Board, immediately if necessary. The result of such a hearing can be the imposition of certain operating conditions to the licensee or to a premises (e.g. the required placement of additional security staff and/or CCTV systems, change in the physical layout of the premise, increased training of bar staff members etc.). Failure to meet these requirements may lead to a license being revoked entirely. In extreme cases police also have 'Emergency Closure Order' powers to close a premise immediately should a senior officer deem "by reason of

⁴⁴ 1) The prevention of crime and disorder 2) the promotion of public safety 3) the prevention of public nuisance 4) the promotion of public health 5) the protection of children from harm (Scottish Executive, 2005:2)

the likelihood of disorder on, or in vicinity of the premises, closure of the premises is necessary in the interests of public safety” (Licensing (Scotland) Act 2005; Part 7, subsection 97). However, the evidence gathered from the three case study areas is that, in line with the guidance issued by the Scottish Executive (Licensing (Scotland) Act 2005 - Section 142: Guidance for Licensing Boards and Local Authorities, 2007) that such actions are employed as a last option:

If there has been any problem with any of our pubs at the weekend it will be flagged up to me and if it's deemed worthy of pursuing I will get in contact initially by letter with the licensee then we will have a formal meeting to discuss some of the problems. Sometimes it can be productive, sometimes no so productive. A good example of that recently was the [name of local nightclub]. We had big issues with them for using unaccredited door staff. There was a reluctance to use accredited door staff because of the costs involved and we had a second rate standard of staff on the door of [name of nightclub], threatened to take legal action and after a fairly lengthy period it was resolved through mediation and they brought in new staff. But part of the success of that was through the decent working relationship you have with the Licensees (Southshire Divisional Commander).

The threat of these powers, combined with the actual use of these powers, is seen to be a sufficient deterrent as the above quote demonstrates. This would suggest that from the perspective of the Licensing department of the police in the three case study areas, there is a clear preference for choosing adaptive strategies of crime control over sovereign state strategies. Indeed, at the time of writing the anecdotal evidence suggests that there have been no ‘Emergency Closure Orders’⁴⁵ enacted by the police in any of the three case study areas. Furthermore, in all three case study areas a number of officers expressed varying

⁴⁵ Because the NTE is often discussed in the public realm and by the media there is a ‘deceptive openness’ regarding the issue. However, whilst conducting the research for this thesis it quickly became apparent that there is very little information regarding the NTE that can be classed as ‘open source’ (i.e. data that is readily accessible for public consumption). There is virtually no Scottish Government published data of what actually happens in the NTE and much of this information remains ‘silo based’ by state agencies.

levels of appreciation for the economic importance of the NTE in the area and for those legitimate business persons who run the premises which may also explain the preference for low level over high end interventions. As one officer commented, “we are there to work with them, there to promote the NTE because there is nothing more frustrating than seeing boarded up premises” (Southshire Constable).

8.2.2 Networked state regulatory policing providers

Working with the police licensing departments in this regulatory capacity process are a variety of other local council bodies, including; the Licensing Standard Officers (LSO), Licensing Board, Trading Standards, Environmental Health and local Planning Authorities. As the field-work began in May of 2008, the data-collection period was conducted during a major transitional period of the Licensing Legislation in Scotland, with the Licensing Act (Scotland) 2005 coming into effect on September the 1st 2008. The move from the old Act to the new Act provided an insight into the new powers, regulatory structures, and regulatory partners in this networked model. One new addition to the pluralized partners was the Licensing Standards Officers (LSO) civil servants. Their mandate is to provide “guidance, mediation and compliance” of the Act, section 142; Guidance for Licensing Boards, Part 11; 60). The LSO works closely with the police frequently making joint multi-agency visits in order to guide the licensed trade operators towards ‘responsible practices’:

Talking about the application for extended hours, there is one premise that is a registered club under the old Act that has applied for, in effect, a disco from 8 o’clock in morning on Old Firm weekend. There are three buses coming from Northern Ireland to participate in this. We believe that this was not in the spirit of the new Act. I made my comments on behalf of the Chief Constable and by working with the LSO, who is now involved in all of this process, we have got the power to take that

to the Board who ultimately decide and that has been refused to grant the licence (Licensing Sergeant West Patrick).

We go out with and do joint visits with them [Licensing Sergeant, Trading Standards, Environmental Health Standards] and if there is a particular issue with a premises to first of all try and advise the licensee on how to resolve the issue and then maybe we will make a repeat visit to make sure everything is in order...for example we visited a venue quite recently that had some irresponsible drinks promotions and we felt the staff hadn't received any training as well as they weren't able to answer questions, so we had the police with us at that time as well, and also issues with a fire exit. So we made a return visit to make sure the staff training had been taken care of and we could ask the staff some questions so we could make sure that the staff had done the training. We will keep in touch with the other departments in the council... again if we are going to do another visit and we feel there is any kind of risk involved, say if it is a venue that is known for disorder, we will call the police and ask them to accompany us and we will then do it in a joint effort (West Patrick LSO).

Both quotes above are examples of when the police use the regulatory system to suit their objectives by combining their knowledge of the new licensing system and their relationship with the LSO. The last comment in the last quote, where the LSO mentions that she would 'call the police to accompany us', is an example of the fact that the police are the only provider in this pluralized policing model that also act as 'security managers'.

The new Act has also changed the relationship of the police and the other pluralised regulatory bodies. For example, the new Act has brought members of the public into the regulatory decision making process. Under the Act it is possible for members of the public, like the police, to seek a license review or make an objection to a proposed license (albeit the Licensing Board have to establish whether any such objections are 'frivolous or vexatious' (Licensing Act (Scotland) 2005, section 22(4), 36(6a)). Officers spoke of their optimism for the inclusion of the public in the regulatory process:

As it stands just now, from my own experience of it just now and what we are trying to achieve, the [Licensing] objectives can help us. It makes it broad brush. A local community can now make any representation they want, anyone, about any premise, can ask for a premise review and that has got to be a positive thing. It is not traditionally just waiting for a police report, it is not traditionally waiting for an event to happen, it is within policy just now that if Licensing Board decide that there is not going to be further nightclub premises, or restrict operating hours in a premise, or restrict an outside area, then the Board can make all these decisions (Licensing Sergeant West Patrick)

Allowing members of the public into the decision making process of Licensing Boards is also in keeping with the current trend in Scottish policing to allow the community to influence the purpose and direction of police work in general (Donnelly, 2008). Another aspect of the new Act to contain members of the community are the Licensing Forums. The forum memberships include persons in the health, education and social work fields, young persons and local residents, as well as local license holders and police (Licensing (Scotland) Act 2005, Section 10 and schedule 2). Its role is to meet at least four times a year to review, give advice and recommendations on the operations of the Licensing Board of those areas. From a police perspective, it was believed that these new partners, and the processes by which they are linked, are more amenable to share their views of how the NTE should be structured and regulated (e.g. maintaining public order, reducing drunkenness, restrictions on alcohol price promotions, limiting the size and type of licensed venue).

The expanded remit and reach of the new regulatory bodies to include alcohol sales in the community (i.e. off-sales) were also welcomed by the police in the three case study areas. The issue of street drinking was raised in section 7.1.1 for the geographical spread of its

location but also the lack of regulatory mechanisms that are in place to regulate the practices of off-sales. As the Licensing Sergeant in West Patrick stated:

To a certain extent, even your poorest controlled premise there is a degree of management there. Alcohol sale in off-sales is straight in, straight out transaction then home and that is where we need to bring the health objective to life in the new Act through the partnership working, through the forums. We need to address that side of it with the health professionals...it comes down to a cultural change, it comes down to the other partners we have got working with us, their contribution, NHS hospital admissions, and providing the correct statistical information. The police job is quite easy, we just police the NTE, we try to follow plans that we, if we need to, have enforcement. The education and diversions is down to other partners now and we are trying to encourage because traditionally the local Community Policing Team would probably do something with the diversionary issues we are now trying to step back from that and go to purely enforcement of the legislation (Licensing Sergeant West Patrick).

As the Licensing Sergeant above states, the inclusion of the 'promotion of public health' licensing objectives in the new Act were seen as potentially being the most significant way of dealing with the issue of alcohol sourced from off-sales. The extract also highlights an expansion of control of alcohol consumption for the police into geographical areas (residential) they previously had little control over, other than CPTs providing diversionary activities to youths. However, these expanded controls are only achieved by collaboration with their other networked policing bodies, and by sharing this burden police can focus their efforts on the 'easy job' of policing the more spatially identifiable NTE.

This research also demonstrated that there were also some 'teething problems' with the introduction of the Act which hindered how the police could officially act as knowledge brokers. For example, part of the remit of the Licensing Departments is to run background

checks on any applications for a personal or premise license – the ‘Fit and Proper Test’ – and if anyone was found to have any prior conviction this would be raised with the Licensing Board. They would call a Licensing Hearing to raise the issue with the applicant and decide upon a suitable course of action accordingly (i.e. if the person in question could provide a reasonable argument then the license would be granted, if they were unable to do so then the license would not be granted). The introduction of the new Act raised the standard of what constituted ‘fit and proper’ to the extent that the police could only raise the issue of a prior conviction if the offence was related to serious or organised crime⁴⁶.

On top of their continuing role of administering civil government licensing of liquor licensing and other amenities (taxi ranks, food outlets), Licensing Boards now have to make a statement of their policy with specific relation to the exercise of their function under the new Act and their role explicitly to the licensing objectives over the course of a three year period. However, the boards have a level of local autonomy in this practice. For example, ‘overprovision’ is now included in the licensing process as being justifiable grounds for rejection of a new license, if the Board deems there to be too many licensed premises within a ‘locality’ of their definition (Licensing Act (Scotland) 2005; section 7). In Southshire the Board made the decision that a 400m radius from the centre of the town was a suitable ‘locality’ and using this system the licensing board rejected numerous new licensed venues in the town⁴⁷. On the other hand, in the smaller NTE of West Patrick the definition of what constituted a ‘locality’ was poorly defined as there were apparently few new applicants to open a new licensed premise (although, again, exact figures were not made available to me). What this shows is that while the police can exert influence on the regulatory process

⁴⁶ This issue is currently under review by ACPOS.

⁴⁷ This was anecdotal evidence and exact figures were not available.

– evidence from all three case study areas suggests any police based advice and evidence was always considered a priority – they are only one voice amongst the many.

Another example of locally specific potential influences on the regulatory process is the membership of the Licensing Forums. While its members are supposed to be a balanced representative of community stakeholders, they take part on a voluntary basis. For example, in West Patrick the forum was imbalanced with regards to its membership in favour of members of the licensed trade:

In [West Patrick] area you have got the local [Licensing] Forum which is made up of NHS, the trade, Alcohol and Drug partnership, and local community council [but] quite simply we are trade heavy and that is nationwide...as they develop and the community gets more aware of it as being an avenue to raise the local alcohol issues they will [diversify], but as it stands just now that process is in its infancy (West Patrick Licensing Sergeant).

At the time of writing it is too early to tell the extent of power that has been transmitted to the Licensing Forums and how it is being used to contributing to the policing of the NTE⁴⁸, but as the above example demonstrates, there are several competing stakeholders in this process, including the licensed trade.

8.3 NTE security networks

As section 8.2 has alluded to, the preference for adaptive over sovereign state strategies means that the regulatory process in the NTE involves working with the licensed trade as partners in the provision of security. Part of this process has seen the state provide the

⁴⁸ The role and influence of members of the public in the NTE decision shaping process is potentially an area for future research.

impetus and resources for the creation of security networks that encourage licensed premises to work with other partners and to police themselves. One much lauded example⁴⁹ of a networking is the Pubwatch scheme where, in theory, licensed premises band together as a unit to exclude persons who have convicted of an offence committed in or around the spaces of the NTE. Working in unison, these premises seek to act as a deterrent to potential troublemakers from committing acts of disorder and violence and exclude those having already been banned from even entering the united premises. Evidence from this research shows that established and well-defined networks can be a powerful tool for linking stakeholders who believe that such collaboration have directly attributed to a reduction in crime and disorder. However, there were also examples of when these networks were fragmented and convoluted, to the extent that it became increasingly hard to pinpoint exactly what model of policing these networks fitted into.

8.3.1 Strong formal security networks

The Pubwatch in Spaybridge is backed by the local council and is an example of a well-run and well-resourced policing scheme (see section 5.3.1). One of the main roles of the police in this network is to circulate photographs and information to all Pubwatch members of convicted NTE offenders. This police-based intelligence is seen as being “pivotal [and] without the partnership working with the police it just wouldn’t work” (Spaybridge anti-crime network employee). With regards to the police, she continues:

⁴⁹ It has been claimed that a successful Pubwatch scheme can reduce crime and disorder by up to 45-55%, (<http://www.nationalpubwatch.org.uk/faqs1.html>), although these figures are unsubstantiated and not supported by independent research.

As much as we get the intelligence from the police, which is what the members want to see at the end of the day, there is other things, like the police will come along and they will talk about many things... it also used to be a situation where the licensees would be reluctant to call the cops because that would be seen as a black mark against their name, but they know that, whether or not they phone the police, anytime a police officer attends a licensed premise there is a report that goes into the Licensing department...so it is a black mark if they don't phone, so it is beneficial to them if they do phone the police and they are proactive (Pubwatch scheme representative).

The network can also generate intelligence (e.g. a person found carrying illegal drugs) that is passed to the police. The response from the licensed trade who partook in this network towards these efforts of the police appeared to be positive. The scheme was so highly regarded within the stakeholders of the NTE that there is an appetite to expand and build upon the work done so far, particularly with regards to the flow of information between members concerning the banned individuals. The input that representatives of the licensed venues have on the specifics of the ban (currently there is a set time limit decided upon by the police or three, six or 12 month bans) and an extension of the Radio Link scheme (where certain venues are linked directly to the police, CCTV operators and other NTE venues). Furthermore, the comments below also suggest that informal relations fostered by these networks appear to be almost as appreciated by the network participants as the formalised structures and provision of information from the police:

The licensed trade can be quite insular because it is a lot of hours in here and I work what most would within the licensed trade consider anti-social hours, so anything where you get an opportunity to speak to people who work in the same industry as you do and you begin to realise 'well actually we have all got the same problems', whether it be glassware, drunkenness, drugs whatever, it is just a good opportunity to confirm 'well actually I am not the only one and I am doing something right', or 'I am maybe doing something wrong', it just gets you to thinking about things you perhaps don't normally do (Nightclub manager/licensee).

You do feel that there is a sense of community. In the four and a half years I have been here there has always been the file [Pubwatch banned individuals information] in the office but it has just been the past couple of years that [Pubwatch scheme] has really put the effort into the meetings and bringing us together so we could all meet each other and know each other (Bar manager/licensee).

The scheme in Spaybridge represents a successful example of when the state has provided the impetus for, and maintenance of, a collaborative network of partners in an anti-crime network. In this scheme the police role is clearly defined as a networked model; the police enacted their role as knowledge brokers to the licensed trade-led partnerships while plural policing providers linked together in horizontal partnerships in local security provision so that they policed themselves.

8.3.2 Weak formal security networks

Such strategies as the ones above are example of when the state works “*through* civil society and not *upon* it” (Garland, 2000:348), and of sovereign state powers being devolved to newly formed hybrid partnership organizations that traverse old public/private boundaries and build new crime control infrastructure. However, the evidence from this research indicates that such a transfer of power is messier at the local level and while the Pubwatch in Spaybridge represents the potential for such networked forms of policing, equally the lack of such schemes in Southshire and West Patrick highlights some of their potential weakness. One of the concerns relates to the sensitive nature of the data on those convicted of an offence that the police are providing to the non-state agencies. In Spaybridge this issue was circumvented by the fact that the council employee who headed the network was enrolled in the Data Protection Act, therefore by proxy every other

participating member, providing they adhered to the guidelines (books containing persons information had to be kept in a secure location and could only be seen by designated members of staff) and attended the member meetings, was also covered by the Act. In this way the scheme was able to legally defend itself and their actions against solicitors who were representing the persons who had been ‘banned’ by the scheme. However, these ‘banning orders’ have been successfully legally contested elsewhere⁵⁰. Furthermore, whilst these networks are supposed to be defined by the transition of (limited) state powers to non-state actors, the scheme in Spaybridge is based and maintained on resources and data that the state provide (i.e. the local council member and the police information). Based on her experience of the Spaybridge scheme and her knowledge of failed schemes elsewhere, the head of Spaybridge security network suggested that their network was unique and would be “unmanageable” on a large scale and “not viable” on a smaller scale. The lack of Pubwatch in West Patrick and Southshire was largely attributed to a lack of resources and motivated figureheads to create and maintain such a network.

The voluntary nature of these schemes also raises several issues. While licensing guidance ‘encourages’ local licensees to participate in any local networks like Pubwatch or Best Bar None⁵¹ (under a veiled threat of placing themselves “at greater risk of police action”⁵²), they

⁵⁰ ‘Man wins High Court challenge over pub ban’, *The Telegraph*, 26/01/09, <http://www.telegraph.co.uk/news/uknews/law-and-order/4347278/Man-wins-High-Court-challenge-over-pub-ban.html>; ‘Pubwatch legal challenge finally dismissed’, Wilmore, J. *The Publican*, 07/11/08, <http://www.thepublican.com/story.asp?storyCode=61758>).

⁵¹ Originally piloted in Manchester in 2003, ‘Best Bar None’ is a “national award scheme supported by the Home Office and aimed at promoting responsible [sic] management and operation of alcohol licensed premises’ aiming to ‘reduce alcohol related crime and disorder [sic] in a town centre by building a positive relationship between the licensed trade, police and local authorities’ as well as ‘improv[ing] the profitability of an individual business and attractiveness of a general area” (<http://www.bbuk.com/what-is-best-bar-none>). Premises are encouraged to strive to attain higher operating standards over the course of a year, at the end of which they are awarded with either a ‘bronze’, ‘silver’ or ‘gold’ level status at an annual ceremony, with the highest standing operator receiving an award.

cannot be coerced into joining. When schemes do not have the backing of the state, only involve a handful of non-state bodies on a voluntary basis, and a lack of leadership and resources then they can be prone to suffer from member apathy, as happened in Southshire (see section 5.1.1). It can also be postulated that such voluntary schemes may be more likely to attract operators who have good serving practices already implemented. The issues that arise from the voluntary nature of these networks are similar to those issues identified by Hussain (1988) when he examined 'Neighbourhood Watch' schemes. Like 'Neighbourhood Watch' schemes, where participation was found to be higher in areas with less need for them (i.e. they were operating in affluent, low crime areas), BBN and Pubwatch schemes may also 'preach to the converted' in that licensed operators who have always had high operating standards are unlikely to need to change their operation, whereas those who may have poorer operating standards, the ones who need to change their practices the most, are under no obligation to partake in the scheme.

A further set of issues was raised by licensees regarding the state imposed framework of practices for networked partners:

Well, we had a couple of issues years ago with people getting banned and I didn't think they should get banned, I think that some people it's a personal grudge against certain customers who were getting banned and they were expecting you to ban them the same people. And there was a couple of people who I didn't think had ever been in trouble, especially here, and there was maybe one incident and they were getting banned for life and I didn't agree with it (Southshire bar manager).

⁵² The official guidance to the Licensing Boards regarding the membership of such security networks is that voluntary participation in these schemes "will depend on the willingness of licensees, premises managers and premises users to involve themselves in a partnership approach, but those licensees who fail to take a socially responsible attitude will place themselves at greater risk of police action under these powers than other licensees, managers, premises managers and premises users who actively co-operate (Licensing (Scotland) act 2005, section 192: guidance for licensing Boards).

The above quotation highlights how there can be a disparity between networked partners between what constitutes appropriate policing methods. The imposition of a standardised set of operating practices removed the use of discretion (i.e. to decide as to whether someone is deserving of a ban), did not allow for the overturning of a ban (i.e. dissolve a ban upon admission of guilt and request for clemency). This disparity was of particular concern to more traditional 'old man' bars, where many regular patrons have been drinking for decades without previous incident and were deemed to be worth of more discretion when deciding on punishment for unacceptable conduct. Finally, there is the fear that such bans could be used inappropriately by specific licensees acting vindictively using their power to influence the wider group to settle personal matters. Conversely, supporters of such schemes, who actively use any information they received from other partners as a means of increasing security in their venues, were often frustrated at the lack of coverage in the town and cross-communication between stakeholders.

8.3.3 Informal security networks

However, the absence of such formal collaborative security networks such as the one in Spaybridge does not mean that other less formal networks and collaborations are not in existence. Another reason explaining the failure of the formal 'Pubwatch' scheme in Southshire was the preference by licensees to 'self-police'. By 'self-policing' licensees would implement bans that they decreed to be fitting for their specific venue and on a case-by-case judgment, rather than have a general banning order imposed on them by the will of other venues. Both the managers of the largest nightclub and a 'traditional old-man' pub in

the town operated this system of 'informal bans'. In smaller NTEs the choice of venues can be very low (particularly nightclubs) and customer allegiance can be very high (particularly 'traditional old-man' pubs) therefore, being banned from one venue is of more consequence to the patron than with larger NTEs where a blanket ban across all venues, such as that operating in Spaybridge, is deemed more of a significant punishment by those administering the sanctions. An interesting middle ground exists in West Patrick. Like Southshire, no official collaborative scheme currently operates across the town in general, however an informal one exists in the more 'traditional' spatially separate 'old town' NTE. This small congregation of four pubs has formed a tight-knit security network based on personal friendship and mutual desire to maintain the appearance of safety and security to their patrons that the rest of the 'new town' does not offer. When an individual is banned from one of these pubs they are by extension banned from the other three, but not the NTE of the perceived less desirable 'new town'⁵³.

Such schemes are clear example of attempts at devolving traditionally sovereign state powers to newly formed hybrid partnership organizations that traverse old public/private boundaries and build new crime control infrastructure. The findings from this research mirror those of the NTE literature in that the application of policing and creation of security networks is "applied differentially... across areas, but also according to types of venue and social scene" (Hadfield, et al. 2009:480) (see also Graham and Homel, 2009; Hadfield and Measham, 2009b). Comparing the contrasting relative successful experiences in Spaybridge with the failure of Southshire highlights this issue.

⁵³ The police involved in the research were not aware of there to be any displacement of those banned from the 'old town' to the 'new town', although some did see the potential for such an issue.

Complicating this picture of NTE security provision further there were also a number of other security providers in the three case study areas, some of which operated entirely separately from any formalised security network and with limited contact with the police. Two of the most prominent of these were taxi rank stewards and street chaplains⁵⁴. Southshire had the only permanently stewarded taxi rank out of the three case study areas⁵⁵. The advantages of this scheme were apparent when compared to the non-stewarded taxi rank also in the town:

We deal with things ourselves before they get out of hand... sometimes it easier to talk things down than get the police involved because the police can inflame a situation. Simple things like the ticket system seem to make all the difference. Before we had that brought in people would jump into the queue, which was often the source of agro. That's calm right down now. I have been five years and I could count over two hands the number of times we have called them (Taxi rank steward).

In Spaybridge a voluntary chaplain service was operating. Their self-defined remit was “to reach out and touch the lives of people working in the club culture with the love of Jesus in relevant and practical ways” (Spaybridge street chaplain). Between one to six paired teams walk the streets of Spaybridge from 11pm till 2 to 5am to converse with NTE patrons, provide helpful goods (e.g. flip flops, cagoules) but also to provide a basic form of first response to injured, distressed or vulnerable persons. At times their role would also extend that of peace-makers and dissuaders of potential incidents:

⁵⁴ Public-self policing was anecdotally identified by several NTE stakeholders and is an under-research area of NTE security provision and could potentially be a significant contributor to NTE security provision, although there are challenges to identifying and/or quantifying this (see Levine (forthcoming) for an example of bystander intervention in the NTE).

⁵⁵ West Patrick and Spaybridge had previously both had stewarding funded by the local council during peak festive months of December and January.

We had a group of six or seven guys all coming up the street singing and hollering about [name of football team] and another group coming the other way singing about [rival football team]. We spotted them so a group of us went up to each of the groups, discreetly kept them apart and just talk to them, distracted them with 'who are you guys?' We talked to them, stuck a lolly in their mouth and then they couldn't sing anymore! Also, from what I have been told, the lollies sobers people up! (Spaybridge street chaplain).

At this point, where the local provision of security becomes so convoluted, it is appropriate to bring in Wakefield's proposition that the most apt conceptualisation of the public-private working relationships in policing is a pluralist 'security quilt' analogy. This involves recognising the distinctive contribution of each of the various agencies engaged in policing in terms of the services, expertise and knowledge they contribute.

8.3.3 Bouncers and the public/private space divide

Arguably the capable guardians who potentially have the greatest influence on this potentially awkward private/public divide, and are therefore of the most interest for a police perspective, are bouncers. With the police charged with protecting the public interest and bouncers interested in maintaining control of the private spaces of their employers, occasionally using excessive force to do so (Lister et al., 2000), tension and disharmony have traditionally existed between these opposing interest groups. Suspicion of and isolation from the police forms part of their strong subculture (Hobbs et al, 2002). The upshot of this is that 'calling the police' has been seen as a last resort as bouncers desire to avoid drawing attention to their venue and prefer to demonstrate their ability to deal with incidents 'in-house' (Shearing and Stenning, 1983). Regarding incidents in the private spaces of the NTE venues, however, there were numerous examples from the case study

sites of when bouncers facilitated the police with their inquiries when possible and that there is an improved two-way understanding between the police and bouncers of each other's role in providing security in the NTE. It would appear that the police now recognize that bouncers can help them by potentially minimizing the potential for, and severity of, any incidents of disorder and violence in their premises⁵⁶ and, although the search for machismo and adventure is an aspect of both policing and bouncing, like many of the frontline police officers bouncers "want a peaceful night at the start of the night to the end of the night" (Southshire nightclub bouncer). Similarly, bouncers now have a better understanding that they need the police to help with severe incidents of violence, between their patrons or directed at themselves, and that working in collaboration with the police can help to create a safer overall NTE environment, including their specific venue:

The police would want to arrest or whatever and the stewards would just be standing there 'I didn't see anything'. We communicate with them [the police] more, even just when they drive past waving your hand, acknowledging them, instead of dropping your head. I think it has always been 'us and them' [but] we are both tackling the same sort of people, we are both tackling the drunk who wants to fight everybody, the ones who ruin people's nights. I will put them out, the police can arrest them (Southshire nightclub head of security).

These findings mirror those of Hobbs et al. in that relationships between the police and bouncers "vary enormously", and where there is common purpose, such as the issue of drugs, "there is close agreement between public and private control agencies regarding the parameters of both comportment and commercial activity in the night-time economy, relationships, based on common interest tend to prosper" (Hobbs et al., 2003:231).

⁵⁶ See Hobbs et al, 2003, chapter 5, for an description of the 'art of intimidation' that bouncers used to deal with incidents.

Whereas historically some bouncers may have been reluctant to let police intervene in incidents that have occurred within their venue, other than those of the utmost severity, now co-operation is far more common, cordial and professional.

Two pieces of legislation introduced by the state, the Private Security Industry Act 2001 and the Licensing (Scotland) Act 2005, have served to bring bouncers and police into closer alignment over what their 'common interests' are and represents a deliberate attempt to include bouncers into a more networked form of policing. The former of these two pieces of legislation, implemented in 2005, created the Security Industry Authority (SIA) that was charged with, amongst a plethora of other tasks, the implementation of a personal license for bouncers. In order to gain their legally required license bouncers must now submit to a police background checks to weed out those persons with a criminal record and deemed to be of an 'unsuitable' nature, and undergo formal training of their responsibilities and suitable methods of crowd control and restraining techniques. Officers in all three case study areas constantly checked that bouncers were licensed (bouncers are obliged to wear SIA identification badgers on luminous armbands at all times) and would often assign specific officers to this task during designated nightshifts. The evidence from the three case studies was that the majority of NTE stakeholders agree that this had been a beneficial process in raising the standard of bouncers' behaviour and actions towards the public and overall level of professionalism.

The Licensing (Scotland) Act 2005, also had an effect on how bouncers operate. With the potential of having their license reviewed for a wide variety of issues, and an awareness of the potential financial implications of such a review, licensees have become more conscious

of the need to have good operating standards that meet with the Act's principles. Whereas previously licensees may have accepted or even encouraged poor operating standards to maximise profits (e.g. instructing their bouncers to allow entry for already heavily intoxicated persons into their premises or not ejecting them once inside), the financial costs now outweigh the potential benefits of such action:

I think the attitude of the Licensees changed because it was the Licensee that always overruled you. I have always done a policy of no-one overrules me on the door, my decision is final, but you do see a lot of the Licensees saying 'nah he is ok, I'll just let him in'. To a degree I expected it to get worse, with the numbers going down I expected the quality to go down as well, that the Licensees were allowing, but I think the proactive side of the law with the government saying 'if you let someone in, you serve someone who is intoxicated, we will prosecute you' has made them think twice as well. So it does help to have the law and the government on your side as well to make your job a little bit easier saying 'no' (Southshire head nightclub bouncer).

The above quotation confirms Wakefield's argument that the extent and nature of private policing is not just determined by its component entities – the security client, the security company and the security officer – but also “by government policy and local-level demands from the police and other working partners” (ibid:235). In this case the SIA accreditation scheme and the Licensing (Scotland) Act have directly influenced the nature of the role of bouncers.

Some bouncers may now see their role as having more in common with the police than the private interests of their paymasters. This is exemplified by the blurring of the spaces within which the bouncer's roles are normally demarcated. While the police have a statutory duty and legal right to enter the private spaces of NTE venues, bouncers have no

such legal responsibility to police public spaces, yet it became apparent from the field-work that bouncers commonly extended their role as security providers beyond that of the private spaces of the NTE and into the public spaces of the streets and pavements. The most common example of this was the bouncer assuming the role of information provider to the police:

2:55 The Sergeant and I wander round the general area of the main clubs. On [name of street] a door steward from one of the clubs approaches us to alert us to a young man, approximately fifteen years old, just down the street who he suspected of having alcohol on his person. Without even having to search the youth it is obvious that he has at least one sizeable bottle of alcohol stuffed into his trousers. A further search reveals two one litre bottles of vodka. The Sergeant removes the bottles and hands them to the steward to dispose of them (Fieldnotes West Patrick, 20/03/10).

In a further imitation of the role of the police, some bouncers provide direct intervention in incidents in public space that may not have any direct connection with the private spaces of the venue where they are employed:

There were some marines out recently and there was two officers trying to get twelve marines to walk away from quite a large group of guys from [Spaybridge] and it all got a wee bit hands on and our steward went across. They didn't have to do anything, but just stood there really as a reassurance to the police and it can act as a deterrent to some of them because it was looking for a while like it might get a bit unpleasant (Spaybridge Head Bouncer).

What they try and say is that your front door, the end of your club, that should be it. I believe that in front of me, if someone is getting attacked, it should be my duty to go in and help that person. I have known myself to run round the barrier and cross the road to help someone who was getting five onto one. You can't watch that (West Patrick bouncer).

Some bouncers had created their own security network with other bouncers in the town:

We try and, cause the lads on the [name of three separate venues], they know who we are and can radio in 'don't let these guys in'. You don't normally hear the likes of [name of club] or anyone, piping up on the radio, if they have trouble they don't bother their arses... I would say it's a gap [in the network] because, if you know someone has just been turfed in [name of pub] and you're on the radio and your listening to where they're going, they come round the corner, you can say 'you're on the radio, sorry'. If someone kicks off in [name of club], could be pretty bad like, you know, they get put out, they come down here and they walk straight in, and then do the same in here (Southshire club head bouncer).

This bouncer quoted above believed that there was potential for such a scheme to make their job easier and expressed his dissatisfaction at the lack of input from bouncers at the other nightclubs in the town. What happened instead of a blanket town-wide security network being developed was instead a communication link that existed between the bouncers at venues which had the same contracted overarching security firm supplier. These bouncers took it upon themselves to form a type of quasi-Pubwatch and used the information they had as a group to enforce any bans. To a large extent such behaviour is person (or company) specific, but case study evidence suggests that bouncers are also more inclined to intervene in public space issues as they seek to help both NTE patrons and facilitate the police:

I have people who worked with me who will follow me, who won't want me running into a situation on my own, and I have had situations where I have run in on my own (Southshire nightclub bouncer).

Yes we do [intervene] sometimes, other times no. It is really due diligence and common sense and I wouldn't say we were doing it to get brownie points for doing it, we are adults and you have a good sense of what is right and what is wrong and if the police were dealing with something outside and it

became a situation where the police could get hurt then absolutely our stewards would assist them in the right way (Spaybridge Head Bouncer).

Such examples as these, where bouncers enter and police spaces beyond those of the private spaces of the pubs and nightclubs, demonstrate that conceptualising policing of the NTE in a private-public role dichotomy is inefficient to explain what is occurring here. Such blurring of boundaries and roles gives credence to Wakefield's argument that in order to satisfactorily conceptualise these relations a pluralist framework – where the distinctive contribution of each agency in terms of services, expertise and knowledge, is appreciated and acknowledged – is more appropriate.

However, it should also be noted that the relationship between the police and bouncers can still be problematic and the history of mistrust and lack of co-operation over competing interests has not been completely eradicated:

The officers are called to [name of nightclub] where the bouncers have detained a male who is accused of throwing a bottle at another patron. When we arrive we are taken through the back to arrest him. We return later to the club to get statements off the bouncers but only one of them saw the incident and is not very forthcoming with information...Exacerbating the situation further, the patron who was assaulted was allowed to leave without leaving any details and has long since left and is therefore not able to offer a statement. The male is later released but his contacts are noted in case the victim was to turn up at a later date (Fieldnotes, Southshire, 01/08/08).

Although the majority of NTE stakeholders, including the bouncers themselves, were in favour of the accreditation scheme there are some concerns, specifically the 'fit and proper' vetting process which checks for criminal records of any SIA license applicants and the quality of the training programme:

Having been through the training myself and got the badge, I thought essentially anybody could get it. I think for all the right reasons there were a lot of people who were very good door stewards but had a bit of a dodgy past and were refused SIA accreditation. Now we have got 18, 19 year old boys and you would just look at them and you could almost blow on them and they would fall over, and they are supposed to be standing at the door to say we don't take any nonsense. So I think it is too easy now (West Patrick licensee).

The above excerpt highlights the concerns that by adopting a more inclusive training programme and having a vetting system in place the SIA has effectively reduced the level of bouncers that had a physical presence and 'hard-man' image that Hobbs, et al. (2002) have argued is, in fact, a necessary part of their world of informal and pragmatic techniques of control. Indeed, some venues mentioned requesting specific bouncers to work on their door and rejected others they saw as being unable to fulfill their task as a physical deterrent presence. However, it was the perception of the majority of stakeholders in the NTEs of the three case study sites that the introduction and continued work of the SIA⁵⁷ has been beneficial and the negatives, whilst unavoidable, were acceptable in the overall context.

8.5 Summary

The picture that emerges from this chapter is that security provision can no longer be perceived of solely in terms of what the police do – if indeed, it ever has been – and the NTE context is no different in this respect. However, this chapter has gone some way to

⁵⁷ At the time of writing the SIA's future is uncertain and is threatened with closure due to government budget constraints in the current economic climate. Amid fears that such a move could potential undo the work it has done so far, there has been strong opposition by senior police officers ('Strathclyde's House warns that 'disastorous' quango bonfire could undermine fight against crime', Leask, D., *The Herald*, (16/10/10)).

demonstrating just how complex and convoluted the 'security networks' that exist in the NTE actually are. What was demonstrated repeatedly was the preference for the use of 'adaptive strategies'. For example, 'sovereign state' (Garland, 2001) police powers such as Closure Orders, were largely shunned in favour of working to resolve issues of 'poor practice'. These findings indicate that, in line with Hadfield et al.'s (2009) results, the police local authority regulatory partners were far more inclined to 'steer commerce' back to responsible selling practices.

However, whilst there have been successes regarding the provision of security networks in the NTE context, there are some important issues that are apparent from the findings of the three case study locations inherent in the transferring of state power to non-state policing bodies, such as the multiple issues associated with (un)successful Pubwatch schemes (e.g. the state having to provide significant resources to create and sustain the Pubwatch partnerships) and the occasionally ill-defined spatial territory of the bouncers (e.g. the bouncer stating that "I will put them out, the police can arrest them"). As Crawford has commented, networked policing models embody "structural conflicts over cultural traditions and working practices between the actors. As such, the idea of networks as a descriptive term tends to imply an overly organised understanding of highly fragmented local security arrangements" (Crawford, 2003:160). The findings from this research are similar to those of Hadfield's who found the application of policing and creation of security networks is "applied differentially... across areas, but also according to types of venue and social scene" (Hadfield, et al. 2009:480), thereby creating a patchwork-like provision of security coverage. Incorporating Wakefield's conceptual framework, which stresses the need to appreciate a pluralised form of security governance with multiple actors

contributing in a variety of ways to create security governance, allows for a richer understanding of these complexities at the local scale.

Chapter Nine: Discussion and Conclusions

This thesis has explored the role of the police in the policing of the NTE in Scotland. Particular focus was given to the wider issues surrounding policing and how they affected the territoriality of the front-line police work across three separate case study locations. This chapter reflects on the key issues that have emerged from this research and highlights the contributions that the thesis has made to the existing literature. The chapter concludes with suggestions for future research directions but before that I return to the projects' research questions and consider them in light of the findings. Section 9.1 reviews the findings of the project regarding front-line police work in the NTE and the conceptualisations of the normative orders proposed by Herbert. What constituted policing in the NTEs of the three case study areas is the subject of section 9.2, and the form of the police and non-police security networks are reviewed in the context of Garland's conceptualisations of crime control in contemporary western societies and the typologies promoted by Crawford and Wakefield. Section 9.3 offers a review of the methods of the project and how they contributed to the research findings. The penultimate section provides some policy recommendations before the final section suggests some areas for future research.

9.1 Understanding the role of the police in the NTE: from normative orders to place and context

A significant portion of my research was dedicated to providing a critical assessment of Herbert's (1997) conceptual 'normative orders' framework. In this Herbert discusses how the 'territoriality' (the ability to control space and to mark and make boundaries within and

around space) of police work is influenced by objective and subjective 'normative orders'. He argues that this conceptual framework combines the social-structural, the cultural and the spatial influences on police work that are often separated by other theoretical standpoints and allows these orders to blend and vary in perceived priority depending on context i.e. the influence of rank, time, place and scenario. My research took this conceptual framework and tested its adaptability in an entirely different context; the NTEs of three case study locations across Scotland. In doing so my research has found there to be significant strengths to Herbert's approach, but also some weaknesses that arise from the particular context of the NTE.

9.1.1 The 'normative orders' of police work in the NTE

To demonstrate one of the strengths of Herbert's conceptual framework I wish to highlight one recurring police territorial strategy that was exhibited in the work of the police all three case study areas; the prioritization of 'high vis' patrols as a means of maintaining control of the streets. Applying Herbert's framework to this specific scenario, it can be seen that several normative orders are involved in shaping how police make/mark space. From the perspective of 'law' the police have a designated role as public guardians to prevent incidents where possible and to arrest guilty parties and as a result, police concentrate resources where they are mostly likely to be called upon to execute this role. 'Bureaucratic ordering' can be seen to exert an influence by the work of supervising officers who designate other officers to areas they believe to be of a higher priority using their experience of reading the local NTE landscape 'hotspots'. 'Morality' comes into play as officers seek to protect by-standers who have committed no offence from harm, reduce

injury to those involved in incidents and help those who have been harmed; all of which officers believe to occur in these high priority areas. Officers want to appear 'competent' in the eyes of others and do so by enacting their authority through controlling space effectively and in challenging circumstances for members of the public, other security providers and fellow colleagues. Finally, officers value 'safety' and demonstrate this by their preference for deterrence over actual intervention in incidents as when they do have to intervene they potentially risk the safety of themselves and fellow officers. It is this ability to unpack a particular set of activities in order to understand the different underlying processes shaping them that is one of the strengths of using Herbert's approach. Furthermore, when compared to other frameworks this form of analysis takes into account the combined impact of objective and subjective influences shaping the group-wide police dynamic, whilst also capturing internal variations and differences.

However, while Herbert provides some critical perspective on the normative order of 'machismo/adventure' and acknowledges that the L.A.P.D. are an organisation that has historically been associated with 'hyper-masculine' and overly aggressive police tactics, his selection of case study sites occasionally falls into the trap of overplaying the significance of the 'cult of masculinity' (Waddington, 1999), a facet of policing that is often talked up when discussing the influences of police 'sub-culture' (Holdaway 1977; Fielding 1994; Reiner 2010). The findings from my research show that in the context of this research, police actions were more in line with those of Chatterton (1979) and Norris (1989); police officers often go to great lengths to avoid 'trouble' rather than seek it out. For example, an officer who exhibits a cavalier and 'gung-ho' attitude (attributes associated with 'adventure/machismo' attitudes) while dealing with members of the public and/or

intervening in an incident, can potentially increase the severity of an incident, thus making discretion a less feasible option and arrest, the less favourable action, more likely. Some officers did enjoy the 'action' that the NTE can offer but the vast majority preferred a relatively 'quiet night' and disliked 'busy nights' where the perceived possibility of 'losing control of the streets' could potentially become a reality. These findings would suggest that although there are significant benefits to using Herbert's normative order conceptual model it is not entirely transferrable to other context specific police work, such as the NTE environment.

9.1.2 The 'craft of policing the NTE'

My research has shown that to better understand police work in the NTE any such analysis needs to move beyond singular case studies, and, as Fyfe (1991) has noted, give greater appreciation to context, as "policing cannot be understood in isolation from the contexts in which it, quite literally, takes place" (ibid:265). An example of this was when officers in all three case study locations 'deprioritized' lower level disturbances i.e. shouting, loutish behaviour, pushing, littering, minor vandalism, etc. Such behaviour rarely went unpunished but would rather be dealt with in a way that reflected the wider context of the NTE i.e. when deciding upon their potential response, officers would take into account and judge the specific offence, the offender, location, time, volume of other offences occurring, police resources available, set objective orders (national/local government or police directed actions toward specific offences), likelihood of conviction, and then combine all these with the subjective orders which may also be exerting an influence. Frequent responses included; giving someone a 'talking to'; handing out PND; spatially separating quarrelling

parties; placing (potentially) offending persons in the back of a police van until a situation or person calms down and then releasing them; arrest someone then release them hours later with a minor charge. These thought processes and resulting actions can be conceptualized as the 'craft of policing the NTE'; the judgement as to whether to use discretion, and if so, what level of discretion is appropriate for that specific context. Officers who are competent at making these decisions are judged to be good 'craftsmen' and officers referred to these colleagues as being a 'good cop', whereas those who are judged incompetent at making these decisions (e.g. an officer making an arrest that was judged by other officers to be the inappropriate or unnecessary action to take in that specific context) are thought of as being poor 'craftsmen' and 'bad at their job'. What this shows is that police work in the NTE is not, and cannot be, just about the "robust policing and application of the law" (Home Office 2004:10) or creating a tight network of security governance. There is an absolute need for the use of discretion by front-line officers, discretion which has been often criticised for being a negative police trait and an obstacle to implementing police reform (Bayley 1994, Goldstein 1990, Reiner 1992).

These findings fit into other established police based research findings. Bittner (1967), for example, has previously identified a similar 'craft of policing' with regards to the police work in the 'skid-row' in a US city. Fear of 'losing control' can also be related back to the wider issues of territoriality and the importance of maintaining control of space, for example by Rubenstein who states that control of the street "for the patrolman is everything" (Rubenstein, 1973:166) and to lose control of their territory represents a failure of this most fundamental aspect of police occupational identity. Although the usefulness of the term is disputed (Chan 1996), a series of aspects that may be categorized as representative of other

aspects of a wider 'cop-culture' (a shared set of values practices between police officers that give meaning and structure to their role) similar to those identified by other police researchers were exhibited across all three case study areas and repeatedly commented upon by front-line officers. Officers complained about the perceived gulf in knowledge and awareness between them and the senior 'management' officers of the difficulties they faced at the 'coal face'; the perception that over-consumption of alcohol and public order issues were just another example of a wider societal decline; officers working together believed that internal and external influences and actors only served to disrupt and problematize their work, thus creating a 'siege mentality' where the world was against them and they could only trust themselves and each other that served to bond the majority of officers into a tight-knit and inter-dependent group (Holdaway 1977; Reiner 2010).

However, despite these similarities my research has found that there are aspects of police work that are particular to the context of the wider NTE. For example, it has been noted that police officers often construct their identity along the lines of a 'good guys' and 'bad guys' dichotomy. When dealing with members of the public they tend to categorise people into 'rough' and 'respectable' depending on whether someone challenges or accepts the morality of the "middle-class values of decency which most police revere" (Reiner, 2010:118). In this research one of the most recurring aspects of modified police work with regards the general NTE context is the officer's awareness, understanding and reaction to the fact that the majority of members of the public they will encounter in the NTE context they will most likely be intoxicated. As a result of the intoxicating effects of alcohol, these 'police categorisations', are 'muddled' and are of significantly less use. Officers described the 'Jekyll and Hyde' behaviour of persons who they might normally class as 'decent

people', creating an 'ambiguous morality' for the police when dealing with members of the public in the NTE. Extra caution, patience and leniency was exercised when dealing with intoxicated persons whose actions would not otherwise receive such an approach. An example of front-line officer's tolerating this 'ambiguous morality' is the 'colloquial license' that they may grant to members of the public who are being verbally abusive towards the officers.

Whilst police officers' actions and decision making in the NTE tells us much about how officers view the 'ambiguous morality' of NTE patrons, it also offers an insight into how the officers themselves construct their own identities and their relationship to the NTE. For example, many officers made comments revealing empathetic notions toward such unruly and 'mischief making' behaviour, particularly towards authoritative figures such as the police, and recognising having acting in such a way when being NTE patrons or intoxicated by alcohol themselves. Some officers even stated that they were more inclined to applying their subjective discretion as a direct result of this perceived 'kinship'. Indeed, the annual 'shift night-out' for the officers often involved frequenting NTE establishments and any high levels of alcohol intoxication and/or unruly behaviours that were committed were a source of folklore and storytelling within the shift and to other officers in much the same way that such behaviour has been identified extensively elsewhere as being normalised and desired for many NTE patrons (for examples see; Hayward 2004; Measham 2004, 2005; Winlow and Hall 2006). This supports Oberweis and Musheno (1998) argument that "cops have more than just professional identities" (ibid:898).

9.1.3 The importance of place: from NTE to NTEs

My research has also shown a need to expand the conceptualisation from thinking merely of general police work in the NTE to appreciating the complexities and nuances at the local scale i.e. it is more appropriate to think of specific NTEs when attempting to understand police work. For example, although a 'high vis' presence was the general police tactic in the NTE in each area, when comparing the three case study areas it is clear that the finer details of the objective decision making process were specific to each area. In Spaybridge the SACN provided a set number of 12 extra officers to supplement the already existing regular shift officers for the duration of the peak NTE, helping to soften the blow of any absences/holidays/sick leave and ensuring a minimum level of police coverage for the NTE. In West Patrick the context of the wider area the police force that covers the local NTE is considered relatively unproblematic with regards to crime rates when compared to its immediate neighbouring town and virtually insignificant compared to the nearby major city. Such is the lack of prioritization of the policing of the local NTE that even the shift Sergeant – the role identified in chapter six as being pivotal to the police work in the NTE – frequently remains in his/her office to attend other matters rather than being on the street to supervise the officers covering the NTE. Southshire has an even smaller pool of officers but a proportionately larger NTE due to the NTE being the largest in the region and decisions such as to how many frontline officers are to be made available to cover the NTE have to be made by the Command Team, whilst balancing the need to provide officers for other times and tasks.

This decision making process that the Command Teams of all the police forces covering the three case study areas is not an easy one when considering the arduous task of balancing

overall force prioritization, resource management and funding, all of which can be influenced and modified by internal and external pressures and personal interpretation. Under-provision of front-line resources in the NTE put policing the NTE effectively at risk; over-provision is expensive and potentially takes resources away from other areas of police work. The unpredictability of the NTE means that officers in all three case study areas, not matter how well resourced, can still be overrun on certain busy nights, most of which are during the weekend, but occasionally a mid-week night can 'go nuts'. However, some officers cited experiencing boredom as a result of overprovision of police resources and a lack of NTE activity, something which goes against the present academic literature which largely paints the police as overstretched, overwhelmed and able to provide only a 'fire brigade' response to incidents (Hobbs et al., 2003).

Individual police forces can also use the hierarchical structure of the police organization to influence, to an extent, the subjective of use of discretion by front-line officers working in the NTEs. In Spaybridge, the arrival of a new Chief Constable ushered in a new formal Force directive where all officers were emailed and encouraged to exert their autonomy and develop a desire to lower arrest rates through prevention rather than reactive punishment. In the context of Spaybridge's NTE this meant an official prioritization of the 'high vis' deterrent/intervention policing strategy and the use of more discretion from officers. Although these aspects of policing the NTE were already widespread and normal practice across all three case study areas, in Spaybridge this force directive served to encourage a more homogeneous level between officers regarding the application of discretion when dealing with incidents in the NTE of the city. No such force order had been made in either West Patrick or Southshire and the use of discretion was more personal and subjective

depending on the 'craftsmanship' of the individual officer or at the behest of the shift supervising officer.

The shift supervising officer, generally the Sergeant on duty, was also required to read the NTE landscape and designate resources accordingly. In the three case study areas of this study there were three distinctly different variations on the policing strategy of 'high vis', as a direct result of having to read the individual NTEs landscapes; Spaybridge has a 'dispersed and clustered' NTE, West Patrick a 'clustered' NTE, and Southshire had a 'dispersed' NTE. These individual NTEs all required individual assessment and local knowledge of the layout of the town and the areas and times in need of prioritisation, factors of which were all dynamic and subject to change, requiring flexibility and constant reassessment throughout the course of the night. For example, one nightclub in West Patrick had sporadic days of opening, yet as it was one of only three nightclubs in the town, the police had to be aware of the potential for it to be open. On the days it did open for business there was no obligation to contact the police to inform them of this and officers physically had to visit the premises to ascertain whether it was open and then modify their strategic deployment accordingly.

9.2 'Security governance' and NTEs

Policing in contemporary western societies is undergoing significant changes and the NTE is no different in this respect. Security governance is often conceptualized in the literature by sets of dualisms e.g. sovereign state vs. adaptive, formal vs. informal, private vs. public. I sought through this project, to understand how security governance is created, executed

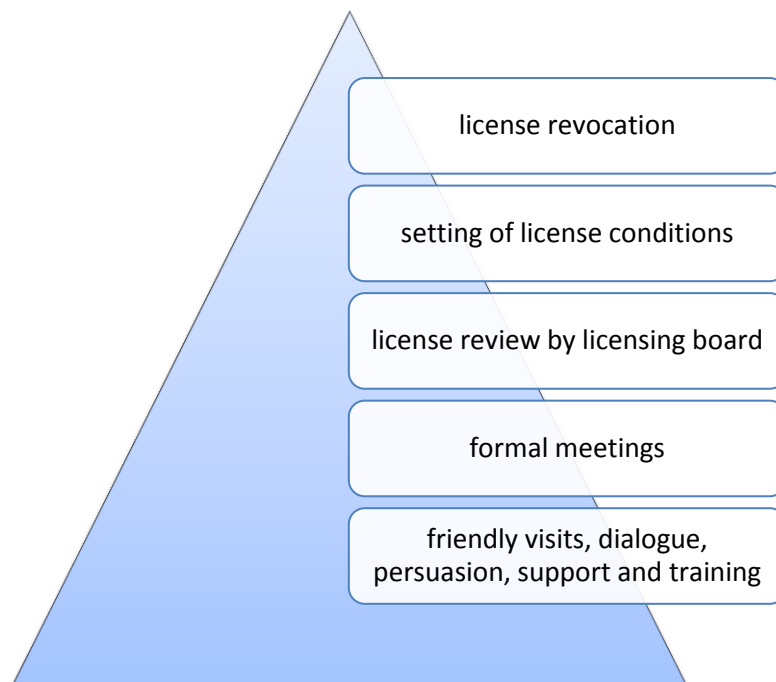
and maintained in the context of the three case study areas, using Garland's (2001) 'culture of control', Crawford's (2003) 'policing beyond the police' and Wakefield's (2003) 'security blanket' conceptual frameworks. What my research has shown is that whilst these conceptualizations are relevant and can go a long way to explaining security governance in this context, when taken individually they are often insufficient to fully understand the embedded and deeper complexities of security governance when it is played out in different specific locations.

9.2.1 'Sovereign state' and 'adaptive strategies'

In Garland's (1996) discussion on 'the limits of the sovereign state', he argues that 'sovereign state strategies' combine with 'adaptive strategies' to create new strategies of crime control. From a 'sovereign state' perspective – where the state reactivates the 'myth of the sovereign state' and creates even more expressive and intensive modes of policing and punishment for certain offences and offenders (e.g. tougher sentencing for those convicted of being in possession of/or having used an offensive weapon, perpetrators of domestic abuse) – findings from my research suggest that although the police were granted a raft of new state backed person/place/venue based powers with which to intensely police the NTE there was a reluctance to forcefully use them. For example, the management of one club in Southshire was non-compliant with the legal requirement to use SIA accredited bouncers. Instead of closing the venue or calling for an immediate review of license, the local Licensing Department negotiated with the management over the course of several days and managed to resolve the issue without the use of sovereign state-style sanctions. Similarly when reviewing the 'policing and regulating the night-time economy' in England

and Wales Hadfield found that ‘adaptive’ strategies were favoured over ‘sovereign’ strategies, and that collaborations between policing family members in the NTE were “more inclined to gently steer businesses towards compliance with licensing conditions than threaten them directly, or proceed with coercive action” (ibid:473). What these findings show is that merely creating new sovereign state powers does not necessarily imply they will be utilized and rather that the wider context needs to be taken into consideration. The police in the NTE context are aware that their actions do not exist in a vacuum and other factors need to be taken into consideration (namely, the economic and cultural importance of the local NTE, the public perception of their actions, the importance of maintaining working relations with local NTE businesses). Such preference for low end regulation but with potential for escalation fits with Graham and Homel’s (2008) responsive regulation ‘enforcement pyramid’ (see figure 4 below).

Figure 4: ‘Enforcement pyramid’ of current Scottish licensing laws (adapted from Graham and Homel, 2008:254)



The potential usefulness of such a model for regulation is the in-built responsiveness to locally specific factors. With the above example the 'decent working relationship' the local police force had established with the local licensees prevented the need for escalation and the issue was resolved at the lower end of the enforcement pyramid.

From a 'adaptive' strategy perspective – where non-state actors are encouraged and often backed with state resources, to collaborate and create new crime control infrastructures (e.g. Neighbourhood Watch Schemes) and also to 'responsibilize' themselves as individuals by modifying their behaviours to reduce their exposure to 'risk' – my research has also shown that merely transferring state power to a 'grassroots' level, as Garland (1996) suggests has happened, does not necessarily achieve successful 'partnerships' and new crime control infrastructures. A case in point is the Pubwatch schemes. In Spaybridge the scheme was deemed to be successful at reducing crime rates in the NTE however, this was only achievable due to state provided resources (i.e. local council employed staff and funding) and support (i.e. information provided by the police). The voluntary nature of these networks, the perceived unsuitability of the policing options they entailed, and the backing of the state meant that such delegation of state power to non-state entities was spatially fragmented, highlighting the potential fragility of such adaptive strategies.

9.2.2 'Informal' security networks

However, the absence of such formal collaborative security networks such as the one in Spaybridge does not mean that other less formal networks and collaborations are not in existence. For example, another reason which explains the failure of the formal 'PubWatch'

scheme in Southshire was the preference by licensees to 'self-police'. By 'self-policing' licensees would implement bans that they decreed to be fitting for their specific venue and on a case-by-case judgment, rather than have a general banning order imposed on them by the will of other venues. Both the managers of the largest nightclub and a 'traditional old-man' pub in the town operated this system of 'informal bans'. In smaller NTEs the choice of venues can be very low (particularly nightclubs) and customer allegiance can be very high (particularly 'traditional old-man' pubs) so being banned from one venue is of more consequence to the patron than with larger NTEs where a blanket ban across all venues, such as that operating in Spaybridge, is deemed more of a significant punishment by those administering the sanctions. An interesting middle ground exists in West Patrick. Like Southshire, no official collaborative scheme currently operates across the town in general, however an informal one exists in the more 'traditional' spatially separate 'old town' NTE. This small congregation of four pubs has formed a tight-knit security network based on personal friendship and mutual desire to maintain the appearance of safety and security to their patrons that the rest of the 'new town' does not offer. When an individual is banned from one of these pubs they are by extension banned from the other three, but not the NTE of the perceived less desirable 'new town'.

However, these 'formal' and 'informal' security networks both had issues of accountability and, as Hadfield (2009) has pointed out, these type of spatial exclusions are a form of "criminalization [that] is exacted upon those who have the least ability to resist the label: young people who procure public spaces for informal assembly, drinking and socializing" (Hadfield 2009:481). Indeed, the SACN operation in Spaybridge operated on a quasi-legal grounds whereby the police provide personal information of the 'banned' individuals to

each participating security network member (to be used as a means of identifying the banned individual), a process that raised the issue of confidentiality (the operators of the scheme stipulate that the document containing information of all the currently banned individuals is to be kept in an approved lockable storage container and to be seen only by certain members of staff who have signed a confidentiality agreement) and has previously been the subject of legal inquiries by lawyers operating on behalf of some of the banned individuals⁵⁸. In Southshire a bar manager commented that they favoured 'informal' venue specific defined bans as they believe that such formal bans were open to potential abuse as individuals from a licensed venue may request a blanket ban to be put on an individual without proper justification to serve as a personal vendetta. However, some officers in Southshire commented that where individual venues operate on a system of entirely independent 'informal' bans this potentially hampered their attempts to exclude the small number of genuinely dangerous criminals from the NTE with licensed venues or seeing no reason to ban them from their venue or were unwilling to ban or ejected individuals through fear of potential reprisals against them if they did so.

9.2.3 Policing beyond the police

In discussing the "reconceptualising of policing" and the "growth of policing beyond the police" Crawford (2003) sets out a comprehensive argument establishing the context for contemporary policing, listing who is involved in 'plural policing' (police forces, specialist policing bodies, municipal policing, civilian policing and commercial policing) and describing the various relationship structures that can exist between them. When discussing the relationships between police and other policing organisations he posits there are four

⁵⁸ At the time of writing all the contested bans had been successfully defended and the bans upheld.

models (integrationist, steering, networked and market). In agreement with Crawford I would argue that the police, despite extensive changes to the nature of contemporary policing, still dominate policing, both symbolically and literally, in the NTE context. Across all three case study areas their role was pivotal to the security provision in the NTEs; at the front-line operational level they had the widest legal remit, geographical space to cover, and stakeholders to combine with; at the local council licensing level their advice and information was a fundamental aspect of the decision making process. This research also found that the 'networked' model was the most common form of policing model in local security provision where the police acted as knowledge brokers, expert advisors and security managers to a range of other networked partners. If we weave in the spatial element that Wakefield's conceptualisation offers then the police appear as the only security provider that has a role to play at an operational level in all four spatial domains (open public space, restricted public space, open private space, restricted private space). In agreement with Wakefield's spatial typology my research found the police are the NTE policing body with by far the widest remit with responsibilities at an 'operational' and 'strategic/tactical' level, whereas the other policing bodies involved are limited with regards to the space they can occupy or their place on the private/public 'continuum'.

Like Crawford, this research also found that in such a network the cooperation can be fragmented and ambiguous, and subject to a complex set of locally specific relations that were variable and uneven across space. If Spaybridge offers an example of where the 'policing family' can live together harmoniously, Southshire and West Patrick provide examples of when the 'family' can be dysfunctional and where one model can dominant over others or several may be incomplete and underdeveloped (i.e. failed Pubwatch

schemes). Bringing in Wakefield's conceptualisations again to this analysis makes it clear that the quality and extent of private policing is not just determined by its component entities – the security client, the security company and the security officer – but also “by government policy and local-level demands from the police and other working partners” (ibid:235). In the endlessly complex and convoluted context of NTE security in the three case study areas there is a need to recognise the distinctive contribution of each of the various agencies engaged in policing in terms of the services, expertise and knowledge they contribute. When all these factors are fitted into the analysis of the public-private working relationships at the local and specific site level then the most fitting framework of those examined by this thesis is a pluralist ‘security quilt’.

9.2.5 The ‘pavement out’ and the ‘pavement in’

Garland's, Crawford's and Wakefield's typologies provide useful insights in their own right and are applicable to an extent with regards to conceptualising the policing of the NTE however, they are not entirely sufficient. What my research has highlighted is a need for a deeper and more complex understanding of policing in the NTE, showing is that there is a non-homogenous and fractured concept of policing the NTEs and in order to better conceptualise this it is necessary to have an integration of these conceptual approaches described above. For example, another conceptual layer that can be added to the policing of the NTE is to distinguish between the ‘strategic’ and ‘operational/tactical’ policing objectives. Using this distinction some policing family members are more important than others depending on their ‘strategic’ or ‘operational/tactical’ relation to the police. Table 7 shows the members of the policing family that operate at a ‘strategic’ level;

Table 7: 'Strategic policing family' in the NTEs of Spaybridge, West Patrick and Southshire

<i>Police</i>
Police Authorities/Boards
Licensing Sergeant/Department
<i>Other public 'policing' bodies</i>
Environmental Health Officers
Licensing Standards Officers (LSO)
Members of the Licensing Board
Members of the local Licensing Forums
Local Councillors
Local Town/City Planning
Security Industry Authority (SIA)

The involvement of these 'strategic family members' involvement in the NTEs can be identified, as the Licensing Sergeant of West Patrick succinctly put it, as being interested in issues from 'the pavement in' i.e. the operating conditions of the licensed premises. However, these strategic members of the policing family generally make decisions during the day-time hours, thus making them unavoidably removed from the actual lived experience of the NTEs. During the 'night-to-night' working realities of the NTE the police remain thoroughly implicated but their remit changes from dealing with the issues from 'the pavement in' to those of 'the pavement out'. As this change occurs so too do the members of the policing family which they have to collaborate with. Table 8 below outlines the potentially key members of the 'operational/tactical policing family':

Table 8: Members of the ‘operational/tactical policing family’ in the NTEies of Spaybridge, West Patrick and Southshire

<i>Police</i>
Front-line police officers
<i>Private Security Operations</i>
CCTV operatives
Bouncers
Bar/club staff/managers
Taxi Rank Stewards
<i>‘secondary social controls’</i>
‘Street chaplain’ volunteers
Members of the public

Only by adding this further conceptual layer, plus combining the strengths from the Crawford and Wakefield approaches, can the policing of the NTE be fully engaged with and understood. My research has found that security governance of the NTEs is context specific and contingent upon a series of locally specific factors.

9.3 Reflections on methods and research questions

In this section I link the research findings of this thesis back to the methodology of the thesis. There were three key methodological aspects of the research that were particularly informative; multi-site comparison, engagement with a broad spectrum of NTE stakeholders and engagement with front-line police officers *in situ*. This methodology was chosen to address the three research areas;

- 1) What contexts and processes developed the contemporary NTE at the national UK and Scottish level and how have these national contexts combined with local influences to create the current NTEs of the case study locations?

- 2) What is the specific role of the police in 'policing' the NTEs, what influences their role, and how is this implemented 'on the ground'? Does this role fit with other conceptualisations of policing?
- 3) What constitutes 'policing' of these NTEs and who is involved in this, how and to what extent? Where do these NTE specific policing strategies fit in the wider context of conceptualisation of crime control in modern societies?

9.3.1 Multi-site comparison

A significant aspect of the research design that was tied into all three of the research questions was the comparative case study aspect of the methodology. An appreciation for local understandings of NTE security provision and police work was one of the main findings of this study and was a recurring theme throughout. Without a multi-site comparison this would have been a far more muted outcome. Another part of the process of conducting a multi-site comparison research involved gathering information on the socio/historical/cultural/economic background, as well physical layout, of three case study areas. Much of the NTE related literature argues that urban regeneration via NTE proliferation has created mono-cultured/youth dominated standardized spaces (in regards to reproduction of dominant motifs and standardized choice of venues and entertainment) at the expense of local distinctiveness and 'traditional' venues suggesting that there is an homogenized UK-wide NTE. In the three case study areas it became apparent that there were numerous identifiable similarities between the NTEs with regards to venue types, ownership, marketing and dominant customer base. However, there was also evidence that such regeneration had been contested and did not necessarily lead to the decline or demise of longer established local space, identities or lifestyles. For example, 'old town' in West Patrick was a NTE environment based on an ethos of more 'traditional' licensed

premises and restaurants that were locally owned. The success of this 'old town' was generally ascribed to its deliberate shunning of the ethos of the 'new town' which was based on branded venues and nightclubs. A similar enclave of resistance was evident in the 'cultural quarter' of Spaybridge. Both the 'old town' and 'cultural quarter' were direct attempts to resist the homogenization of the NTE through a combination of local council planning permission, licensing board decision making and a genuine market base for such alternative NTEs. In concurrence with Jayne et al (2011), emphasizing the importance of 'space', as this project has done, serves to "scratch... [below] the surface appearance of urban transformation [and] allows for depiction not of a homogenized, purified set of spaces and experiences but something more complicated and contested" (ibid:21).

9.3.2 Engaging with police officers on the front-line

Another dimension of the chosen research design that sets the project apart from the literature was the prominent role given to conducting fieldwork with front-line police officers. Participant observation/ethnography is an established method of choice for many police researchers (Bayley 1994; Herbert, 1997; Holdaway 1983; Marks, 2003; Reiner 1992). Until now, however, the front-line police officers' experience of the NTE has largely been under-researched. Furthermore, with a few notable exceptions, geography as an academic discipline remains largely absent from the field of police studies. Taking a geographical perspective on the police work in the NTE means, amongst other things, recognizing that police actions cannot be separated from the context within which policing actions take place. The participant observation sessions with the police formed an integral part of my fieldwork and yielded a wealth of information that other research techniques may

otherwise have been unable to uncover. I am therefore, agreeing with Waddington's assertion that, "if we wish to *explain* (and not just condemn) police behaviour on the streets, then we should look not in the remote recesses of what officers say in the canteen or privately to researchers, but in the circumstances in which they act" (Waddington 1999:302). For example, only by engaging with front-line officers was I able to gain insight into the rich and detailed world of police work in the NTE and develop a picture of the intricate balancing act that is the 'craft of policing' this challenging environment and only by witnessing firsthand the 'good/bad craftsperson' at work was I able to see the resulting control, or lack thereof, of space and the persons within, or excluded from, those spaces and how integral this was to the role of the police.

9.3.3 Engagement with broad spectrum of key NTE stakeholders

Although understanding the police's role within the NTE context was ultimately the focus of this research project, the extent to which non-policing bodies are thoroughly entangled with the police in the process of 'policing' was reflected in the research design. Across the three case study sites locations 27 non-police actors were engaged with, primarily through formal interviews, to provide as broad a cross-section of opinions as possible but with a particular focus on the provision of crime reduction and security governance. Conducting interviews with such a wide variety of non-police actors served to demonstrate the diversity which 'policing' the contemporary NTE has come to entail. No single organization or association of persons has a monopoly on what should constitute security provision and instead there appears to be a patchwork-like uneven spread within and between places. Furthermore, with few exceptions this research found that the police have an extremely wide remit in the

provision of NTE security governance and collaborated to varying degrees and in varying ways with non-police actors, ranging from a local tactical response where officers are called to attend an incident that non-police actors are unable to deal with (e.g. bouncers calling for assistance at an incident) to strategic assistance in providing police recorded data to inform policy making decisions at a regional scale (e.g. Licensing Board meetings).

9.4 Policy implications

From the outset this project was based upon the principles of its funding body SIPR, that it is findings should ultimately be “to make evidence-based contributions to policing policy and practice...[and] to help the police meet the challenges of the 21st century”⁵⁹. In this section I want to discuss some of the potential policy implications that have arisen from my research. These potential policy implications are broken down into two subsections; those relevant to the police, those relevant to the NTE security partnerships and those with broader policy interests

9.4.1 The police

Awareness of ‘localism’:

In Scotland the merger of the current eight police forces into a singular force covering all of Scotland is a distinct possibility⁶⁰. What my findings have shown is that there is a need for the appreciation of ‘localism’ i.e. that all areas are distinct with their own specific priorities and any police response must take this into account. From an NTE perspective whatever

⁵⁹ <http://www.sipr.ac.uk/aboutus/index.php> (accessed on 17/03/11)

⁶⁰ ‘Decision ‘made already’ on single Scots police force and fire service’ *The Scotsman*, <http://news.scotsman.com/scotland/Decision-39made-already39-on-single.6688684.jp>, (accessed on 10/02/11).

structure emerges from this process of police restructuring the locally specific NTE needs to be engaged with and recognized in order to be as effectively policed as possible.

More efficient use of the Community Policing Teams:

Policing of the NTE is a front-line resource intensive, and therefore expensive, aspect of contemporary policing. With the police in Scotland facing significant changes in the form of sizeable budget cuts⁶¹ in a time of general public service era of austerity, it is reasonable to assume that cost-saving measures will need to be introduced so as to be as cost efficient as possible. A potential way to increase front line officers available to cover the peak NTE hours would be to better integrate the Community Policing Teams to the working hours of the other front-line response officers. As it stood, the Community Policing Teams of the three case study areas finish their working shifts hours before the peak NTE activity and are more akin to the needs of day/late evening residential areas and not urban centres during the late night/early morning. With 'high vis' a police priority, and the advantages of extra officers on the front-line during peak NTE hours illustrated by the example of Spaybridge, this a potential way to boost police numbers.

Promote the use of officer discretion:

My research found that front-line officers frequently use their discretion when working in the NTE. The decision making process behind the use of discretion is not attributable to one single influencing factor but rather based on a multitude of context specific subjective/objective influences and factors. Balancing these factors is a skill that is learned

⁶¹ Police budget £40m black hole will mean compulsory civilian lay-offs and fewer beat bobbies', *The Herald*, <http://www.heraldscotland.com/news/crime-courts/police-budget-40m-black-hole-will-mean-compulsory-civilian-lay-offs-and-fewer-beat-bobbies-1.1081300> (accessed on 14/02/11).

by 'on the job' training and the use of 'common sense'. However, the specific offence being committed and the resulting police action taken by these front-line officers can be directed to an extent directly by the front-line shift supervising officer and the Force Command Team. Given the obvious importance of the use of discretion it would appear advisable for there to be overall Force directives that encourage the use of discretion and procedures in place to guide and help inform such a decision making process of inexperienced front-line officers. Such procedures could take the form of a range of means, from NTE specific training seminars aimed at police college level, through to an email from the Command Team outlining their encouragement of the use of discretion.

Promote the role of the police to the public and other NTE stakeholders:

Whilst it is pertinent to change the internal perception and stance on the use of officer discretion it may also be advisable to attempt to alter the general perception by many non-police, particularly members of the public. In Scotland, large sections of national level review of police performance, such as the 'Scottish Crime and Justice Survey' and the 'Scottish Policing Performance Framework' is based around assessing the public's perceptions and attitudes toward crime and the police. The three police forces involved in this study all produce locally specific data on these same issues, highlighting the importance of public perception to the police. However, there are currently no data regarding the public's perception of the police performance in the NTE context. A rare example of this was a survey conducted by Anderson et al (2007) on Liverpool's NTE where they found that whilst more than half of respondents found the police were helpful, approachable and helped to prevent violence only "four in ten (39%) thought there were not enough police" and "participants who had had some form of previous contact with the police working in

Liverpool's nightlife, for example had spoken to them or were arrested whilst on a night out, were significantly less likely to perceive the police as being approachable, calm, trustworthy or responsive to violence" (ibid:9). This last finding is related to what Hobbs (2002) called the "dark figure" of unreported crime in the NTE, where alcohol-related violent crime may be unknown to the police, or only known to some authorities, perhaps medical, as intoxicated people may be embarrassed or feel that there is no point in reporting the incident if they are drunk, especially if their attacker was a stranger (Shepherd & Brickley 1996) or premises may be wary of calling the emergency services for fear of incurring extra police attention or endangering their licence (Lister et al., 2000). It would, therefore, be advisable, based on this lack of official data and the potential gap in police performance as a result of unrecorded crime, to assess the police performance in this typically high crime area of policing. The publishing of such data for public consumption has been shown to potentially raise awareness of the danger of crime, without raising the fear of crime, so that extra precautionary measures can be taken to reduce the potential for being a victim of crime, and raise awareness and appreciation of the role that the police are playing as it shows they are attempting to deal with issues of crime and disorder (Quinton, 2011).

9.4.2 Partnership working and policing

Introduction of formalized training for CCTV operators:

CCTV was seen to play a significant role in facilitating front-line police officers working in the NTE, both for evidential purposes and the directing and prioritizing of police resources. Despite its importance there currently exists no formalized training for CCTV operators and all training is 'on the job'. Overall police officers regarded the information provided by the

majority of CCTV operators as being extremely useful, however there was anecdotal evidence of inconsistencies of the reporting ability between some operators. The introduction of a standardized NTE specific training may alleviate some of these inconsistencies and help in maximizing its potential as a police tool.

Alternative care for D&Is:

Evidence from this research and from others (Griesbach et al., 2008; Man et al., 2002) highlights the resource intensive care that police and A&E services need to provide to ensure these persons' health and safety. Although technically a police issue⁶², clearly those persons in a state of D&I require medical attention/supervision. The findings of this study would suggest that this ambiguity of responsibility has led to issues regarding who/what service should provide the appropriate care for D&Is. In conjunction with Griesbach, it is recommended that there be "a strategic and partnership approach at a local level to planning and funding services to meet the care needs of [D&Is]" (ibid:74). Such services could include developing a list of protocols for dealing with D&Is between police and A&E services, provision of post-custody release support for repeat D&Is, development of a 'drying out' facility to provide a go-between to avoid the use of police cells or A&E facilities. There have been examples of such facilities in Scotland, however public sector cuts have left funding streams being reduced or withdrawn⁶³.

⁶² Civic Government (Scotland) Act 1982, Part IV, 'Offences of annoying, offensive, obstructive or dangerous behaviour', Section 50.

⁶³ "Ex-high ranking police officers oppose drying-out centre closure; They point to dangers of locking up inebriated people", Neil Macphail, 27/02/10, <http://www.pressandjournal.co.uk/Article.aspx/1625437>.

Encourage the creation/maintenance of multi-agency partnerships:

Findings from this research have shown that the police can be facilitated in their work in the NTE by collaborating with other non-police stakeholders in various formal and informal networks. At a national level organizations such as the Scottish Business Crime Centre are potentially useful resources to seek out the information and expertise needed to establish and maintain local level anti-crime multi-agency networks. The findings from this research suggest that schemes such as BBN and PubWatch may not be appropriate for every location, however given the correct funding and support such schemes can help to foster a spirit of collaboration between multi-agencies. Where these networks are unsuitable or unworkable at the local level, for whatever reason, (e.g. lack of participation from non-police actors, preference by stakeholder for 'self-policing', etc.) then establishing and maintaining informal personal relations between the police and other NTE stakeholders is as important as the creation of formal networks. This may constitute nothing more than the police – those with duties from the pavement out and the pavement in – maintaining open lines of dialogue and visiting licensed premises during the night and day-times.

Collaborate with COPFS:

The relationship between the police and the procurator fiscal could be improved in relation to prosecution of NTE offenders, particularly those committing assaults on police officers. As Scott (2010) has noted, this relationship between the police and the COPFS "is crucial to the effective working of the Scottish criminal justice system and there is growing recognition of this on both sides" (Scott, 2010). Such a process could be achieved by improved dialogue both within the police (i.e. between front-line officers and management officers to provide

qualitative data to the quantitative data already being gathered by police) and between the police and the COPFS to address any areas where collaboration could be increased.

Changing patterns of the places of consumption suggest a need for ‘joined up’ policy making:

Data gathered from the interviews with the majority of NTE stakeholders at all three case study locations strongly suggest changing patterns in the location of consumption by NTE patrons, patterns reflected across Scotland. Non-NTE site consumption has long been associated with ‘under-age drinking’ (persons younger than 18 years old who cannot legally drink in on-sales premises) and is often linked to the harmful locations and levels of alcohol consumption (Forsyth, 2000). Due to its links with criminal behaviour (under-age drinking, drinking in public spaces, disorderly behaviour, etc.) the police in all three case study areas were well aware of these practices and have to spend significant amounts of time responding to associated incidents. However, these non-NTE spaces are also occupied by a recently increasing trend of persons who are of legal age and who choose to ‘front-load’ before they enter the NTE proper and base their decision to do so on the price differentials between on-sales and off-sales but also a combination of economic, cultural and social influences that are interrelated to the structure of the NTE i.e. pre-NTE socializing in an environment that was more conducive to dialogue and where smoking was permitted (Forsyth, 2010). Consumption levels of off-sale purchased alcohol is unmonitored and unregulated and often leaves on-sale premises and private and public policing bodies to control and regulate resulting behaviours that were influenced by unmonitored/regulated private consumption. Current policy makers devising interventions to tackle NTE issues related to reducing alcohol consumption should be aware that the on-sale and off-sale

industries are not distinct entities, neither are the private and public spaces which they affect. A 'joined up' policy involving all sectors is required to effectively deal with these issues strongly suggesting the need for a multi-agency long-term strategic approach involving at the very least local authorities, NHS (community and acute services), ambulance service, police and the voluntary sector.

9.5 Future research

As well as potential policy implications the findings from this project have also raised areas for potential future research, which are discussed below.

The impact of police restructuring and budgets cuts should be monitored:

It is highly likely that the major structural changes of the police that are currently being proposed will bring widespread changes to the provision of front-line services. In an address to MSPs, Kenny MacAskill, Cabinet Secretary for Justice, outlined his vision of how such restructuring would look, stating that the "status quo is no longer tenable...it is quite clear to us as a Government that the option of the current eight forces with enhanced collaboration will not provide the savings necessary nor the enhanced service required to meet the challenges of the 21st Century." (MacAskill, 2011). How these changes will manifest themselves with regards to the provision of front-line services should to be closely monitored, particularly with regards to any potential uneven development across space.

Review the implementation of the Licensing (Scotland) Act 2005:

The timing of the fieldwork meant that the research for Southshire and Spaybridge were 'pre' and 'during' Act implementation, respectively, and West Patrick was 'post' Act implementation. As a result of this it was not possible to have a direct comparison between sites regarding the impact of this legislation. Further research on the implementation and effects of the new Act and its subsequent amendments (Criminal Justice and Licensing (Scotland) Act 2010) for a more comprehensive review than the one offered in this thesis would be advisable as anecdotal evidence from the case study sites highlighted some early transitional issues. For example, whilst police powers, with regards their ability to regulate and enforce the new Licensing Act, increased the removal of the 'fit and proper test', whereby police perform background checks on persons applying for a personal license but can now only comment on cases of serious organised crime rather than any criminal offence (e.g. assault) as had previously been the case.

Investigation into the feasibility of a 'Social Responsibility Levy':

In November 2010 the Scottish Government released a Consultation Paper seeking views on potentially introducing a 'Social Responsibility Levy'⁶⁴, the purpose of which is to seek funds from NTE-related businesses to help pay for the cost incurred by the public services that deal with the (in)direct negative consequences of these businesses. In their role as the primary public guardians it is presumed that the police would benefit from such additional funding and with the obvious benefits from opening up of such additional funding streams it is in the interests of the police and other public services for further research to establish how such a scheme could work. However, there is already opposition from other political

⁶⁴ <http://www.scotland.gov.uk/Resource/Doc/330005/0106982.pdf>

parties in Scotland⁶⁵ and anecdotal evidence from interviews with members of the licensed trade in this project suggests that any such scheme will be fiercely contested on the grounds that it will unfairly impact on ‘responsible’ operators regardless of how conscientious they may be.

Need to develop further understanding of alcohol consumption patterns:

There are clearly significant changes to the alcohol consumption patterns in Scotland, particularly with regards to ‘front-loading’, as well as ‘side-loading’ (drinking off-sales purchased alcohol in on-sale premises) and ‘back-loading’ (drinking off-sales purchased alcohol after having been in on-sales premises). These areas remain under-researched and highlight an area for future research if any policies are to be developed that desire to modify these behaviours. As Pattoni et al. (2007) concluded; “a large amount of research has been conducted on the selling of alcohol in pubs and clubs, along with a considerable amount of work on violence and disorder and its relationship with alcohol. However, investigations of the exact connections between where alcohol is purchased in the community setting and the effects are limited” (ibid:30).

NTE as an international issue:

It is worth highlighting that although issues with the NTE and alcohol consumption are pronounced in the Scottish context, it is by no means the only country to be experiencing problems with the NTE or other associated ‘nightlife’ activities. In 2006 the European Union highlighted the issues of alcohol use and related harms to young people across

⁶⁵ “Social Responsibility Levy - Focus should be on tackling abuse, not punishing responsible retailers”, <http://www.scottishconservatives.com/news/news/social-responsibility-levy--focus-should-be-on/952>

Europe as being a major public health concern⁶⁶. In a literature review of studies exploring the relationship between drinking environments and increased alcohol use or related harm Hughes et al (2011) found 53 individual papers on studies from around the world and Hadfield (2009) brought together studies from 13 different countries. Both Hughes et al. and Hadfield's work highlight the numerous similarities with regards to issues created by 'nightlife' but also show the highly localized nature of these between and within countries and as Hadfield states, "the potential scope and value of comparative research in the nightlife arena [which is] truly immense" (ibid:14). The benefits of comparative studies involving research in Scotland could at insight to an international dialogue, and vice versa.

The need for continuous NTE research:

The Licensing (Scotland) Act 2005 has already implemented significant policy changes, the effects of some of these are discussed in this thesis, however other more recent initiatives, such as "Changing Scotland's Relationship with Alcohol: A Framework for Action" (Scottish Government, 2009), have sought further changes to alcohol policy. The numerous objections raised have meant that there is often extensive moderation and dilution of these policies in order for them to pass through parliament at all (i.e. minimum price of 45p per unit of alcohol), whilst others currently being debated are also likely to receive significant amounts of opposition (i.e. 'social responsibility levy'). The contentious nature of these policies suggests that attempting to reach a wholly satisfactory outcome for all parties concerned not be a straightforward process. It also hints at the historical/cultural engrained attitudes towards alcohol consumption in Scottish society. It would seem that

⁶⁶ Commission of the European Communities. *An EU Strategy to Support Member States in Reducing Alcohol Related Harm*. 2006. Available at: http://ec.europa.eu/health/ph_determinants/life_style/alcohol/documents/alcohol_com_625_en.pdf, (accessed 17/003/11).

with such a complex national and local political context where powers evolve and shift over time, implementing actual change will also be the subject of negotiation over sustained periods of time and continuing research is needed to monitor such oscillations.

9.6 Conclusion

The contemporary Scottish NTE currently sits at the intersection of multiple policy agendas, much of which is focussed upon the issue of alcohol (mis)use in Scottish society. The Scottish Government's "Changing Scotland's Relationship with Alcohol: A Framework for Action" (Scottish Government, 2009b) encapsulates much of the current Scottish Government's thinking and establishes a link between alcohol and a variety of related issues. This framework calls for action from a list of agencies, including "the health service, local government, the alcohol industry, the police and the third sectors" working together "over the coming months and years" (Nicola Sturgeon (in Scottish Executive 2009:4)). At an even wider level the NTE in Scotland can be related to four out of five of the Scottish Government "Strategic Objectives that underpin our Purpose and describe the kind of Scotland we want to live in"⁶⁷; 'Wealthier and Fairer' (NTE licensed and associated trades), 'Healthier' (reducing alcohol consumption), 'Safer and Stronger' (reducing alcohol related crime and disorder) and 'Greener' (urban regeneration).

The role of the police in these processes will be significant. Focusing on the NTE context specifically demonstrates the extensive nature of the role of the police. For example, as these security networks and various partnerships operate over different spatial and

⁶⁷ <http://scotland.gov.uk/About/scotPerforms/objectives>, (accessed on 21/03/11)

temporal scales it is inevitably the case that these ‘capable guardians’ have varying degrees of separation – imposed or otherwise – from the other issues that are unrelated to their particular position in the wider ecology of the NTE e.g. a bouncer cannot affect wider NTE policy agenda and Licensing Boards do not physically police the streets, although both are extremely important to their particular aspect of the wider security of the NTE depending on the specific time and space. The police, however, do not have the option to ‘opt out’ in the provision of NTE security, regardless of the time or place, the existence or extent of any supporting ‘security networks’. This already wide and ever broadening range of responsibilities is to be executed in a time when the police in Scotland are facing significant budget cuts of up to 24% over the next four years⁶⁸, but also the possibility of major internal restructuring.

Whilst the police have a vested interest in facilitating and collaborating with other agencies to create long-term culture-changing measures, some which are included in the Framework for Action, the police’s priority for their resources has to remain one of providing a front-line reactive response in the spaces and times of NTE peak activities. During times of public sector austerity the potential with which the police can provide resources to facilitate these preventative measures has to be weighed against the need to provide front-line response resources. This thesis has provided evidence of the complexity of such decision making for the police on a day-to-day and night-by-night basis. In the England and Wales context Hadfield noted; “the art of urban security governance involves attempts to balance the seductions of the market, consumer freedoms and civil liberties, with surveillance, securitization and repression. Whilst the relative power of the various stakeholders may

⁶⁸ ‘Scottish police cuts ‘could see 2,800 officers go’’, <http://www.bbc.co.uk/news/uk-scotland-11123820>.

ebb and flow, it seems likely to remain ever thus" (Hadfield, 2009:482). With the growing recognition by the state in Scotland that alcohol consumption is a problem in the NTE, the police can potentially use this political climate to influence policy to their advantage as it ebbs in the favour of their aims.

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Appendix 1: Interview schedule for front-line police officers

General questions

- How long have you worked for the police, where, and what positions have you held
- How would you describe the NTE in this town/city
(e.g. busy, quiet, problematic, diverse)
- When is the NTE busiest? What crowd does it cater for? (e.g. older, younger, mixed)
- To your knowledge has the NTE changed or evolved in the past 10 years or so?
(e.g. number/type/size of venues, clientele)
- ***[Spaybridge specific question] Does the student population have any effect on the NTE?***
- What types of crimes and disorder are occurring in the NTE?
- Are there any patterns you have noticed to the times and locations of these incidents?

Front-line police work in the NTE

- How would you describe your role as a police officer operating in the peak NTE hours? (e.g. what are your priorities)
- On an average shift what front-line resources are available to cover the peak NTE hours?
- What actions merit a a) issuing a penalty notice for disorder b) making an arrest?

RE: a) how are these issued?

RE: b) on average how long does the entire process of making an arrest take? What circumstances can influence this amount of time?

- Are any other sanctions used?
(e.g. verbal warnings, dispersing, 'cooling off' periods in police vehicle)
- Are there any contextual factors (e.g. time, resources available, influence of alcohol) which can influence the choice of which sanction to deploy?

- How common is dealing with persons who are classified as 'drunk and incapable? Does dealing with a person in such a physical condition present any specific challenges?

AGE DEPENDENT QUESTIONS

• YOUNGER OFFICER

Did you receive any training at police college that was relevant to the front-line police work in the NTE?

Do you see any difference in the way that more experienced officers respond to situations that arise in the NTE context compared to how you might respond to them?

• OLDER OFFICER

In your opinion how has police work during a busy weekend nightshift changed from when you started in the police?

Do you see a difference in how younger officers respond to situations compared to more experienced officers?

- **[Spaybridge specific question] Has the introduction of the SACN made any differences to the policing operation during the weekend nightshift?**
- What role do 'community police officers' have in the front-line police work of the NTE context?
- Do you perceive there to be a greater personal risk when working a nightshift when compared to a dayshift?
- Do you perceive that management officers are aware of the role of front-line police officers in the NTE context?

Other security providers and NTE relevant legislation

- Which other non-police agencies/actors do you work with on the front-line in the NTE? (e.g. regulatory bodies, licensed trade, private security)
 - In what ways do they facilitate your role in the NTE?
 - Are there any issues related to working with non-police agencies/actors?
- Are there any formal networks schemes such as PubWatch in the town/city?
 - What is your opinion of them in the context of providing security provision in the NTE context?
 - What role do the police have in these networks?
- What role does CCTV play with regards to front-line police work in the NTE?
 - How does this role compare with police work during the daytime?

- Are there any drawbacks to the use of CCTV
- Are there any initiatives that the local police force has introduced that have specifically targeted the NTE context?
 - What was your opinion of these initiatives with regards to facilitating your front-line role in the NTE?
- In your opinion what are the causes of the issues associated with the NTE that you have to engage with as a front-line police officer?

e.g. barroom environment (irresponsible selling practices, poor physical layout, bad premise management) cultural practices (high levels of alcohol/drug consumption, attitudes to intoxication), public environment (lack of public resources, physical landscape, lack/inadequate security networks).

- In your opinion how can these issues be addressed?

e.g. maintaining the status quo, more enforcement/cooperation of/with licensed trade, more police front-line resources, more local/national regulatory powers
- In their opinion, is there anything else that could be done to help facilitate their front-line police work in the NTE?

Appendix 2: Transcript of interview with manager of a bar in the 'old town', West Patrick (un-coded)

Q: what is your job title and what does your job entail?

A: my name is [name] and I am the owner and the licensee of [name of pub].

Q: have you worked in any other pubs before?

A: just in here. I started off my career in Scottish Water but I did outside catering for about 20 years which eventually went into mobile bar which is the reason I got into the bar side of it and when this lease became available about 7 years ago I took my redundancy from Scottish Water and made a go of it here.

Q: how many staff do you employ in the bar section?

A: probably average about 15, with 3 or 4 full-time staff and about 10 part-time.

Q: on a weekend shift how many folk?

A: about seven staff in. We have a function room downstairs and there is two staff down there and maybe four or five staff up on the bar.

Q: what kind of crowd would you say you get in here?

A: it is a funny one. I would say it is probably a younger crowd, and when I say that I mean 20 to 35, 40 because we do offer entertainment, we do have live music, we do have a wee bit of dancing and sometimes we have bands. But I would say that that is the age of the crowd and that is the kind of age, not target, but probably the age that target me. But we do show a lot of live sport and we are busy, mainly when it is Celtic, again though I think people chose the pub rather than me saying, 'we are a Celtic pub', but we cater for every sort of football and we don't go one way in particular.

Q: have you seen changes in the industry in general since you started out?

A: massively, massively, just in the short time I owned this place. We used to be mobbed in this place on a Friday, Saturday night, queuing out the door, turning people away regularly because we had our maximum capacity. Now we are busy for the last hour, two hours of the night and the main problem, the main problem we find really, really hard to contend with at the moment is that people are coming in with a good drink in them already. When I speak to them it is not that they have been anywhere else it is that they have been drinking in the house before they come out. So they are fine when they come to the bar and they have one, then two, and all of a sudden you see this massive difference in their personality and you can tell that they have had a few because of the alcohol taking its time to kick in. But I think a lot of young ones now are compromising with the lack of funds by having a carry-out in the house and then go to the pub for the last hour because they use you, especially the young ones, they use you as a stepping stone. The good thing about Old town is that it has three or four pubs and people come down to Old town and they do a wee tour and they will go to the different pubs, but the young ones will use us before they go to the dancing, whereas they used to come here at 8 o'clock for a night and then go at 1 o'clock for the dancing. Now they are still doing that but they are only in here for an hour doing that and then go up the dancing. It is just a sign of the times ain't it?

Q: this is something that you are hearing across the industry then?

A: there is times where you do a lot of soul-searching if your pub is empty on a Friday night, but when you go about the other pubs you can see it, and the tell-tail sign as well is when you see a queue of taxis sitting out there doing nothing, if the taxi guys are busy they are taking people about and the pubs are busy. But in general, yes it is a trend and if one is quite we are all quiet.

Q: do you find that people use West Patrick as a starting point for a night out in [name of nearby large town] or other places?

A: it could be, we have got the train station right there, but where I would say West Patrick lacks is the promotion. We don't get the people coming from [name of nearby large city] and it should happen that way because Old town is vibrant wee place and a great place at night-time because we have such a choice of pubs and restaurants but we don't seem to promote ourselves like other places, such as Ashton Lane does. There is a fair population in West Patrick and I think on a good night when people decide to come out this place is mobbed, and Old town is mobbed and it does attract a lot of people down, more so than any other part of West Patrick, because it is the old quaint Village and it is a bit rustic.

Q: how had the 'old town' developed over the past few years?

A: believe it or not this pub is just 10 years old, and what happened before this pub was built was that you had two main pubs in Old town, [name of pub] and the [name of pub], as it used to be called, and the [name of pub] was one of those old fashioned boozers where they would shut at 11 o'clock, shut during the day, although it still does that, and stuck to the old licensing rules 2:30 to 5 it would shut and shut at 11 o'clock on a Saturday and people used to queue up to get in to it, queuing up and it was the place to be in West Patrick. But I think it was a sign of the times that this pub got opened, then another wee wine bar got opened and I think the [name of nearby pub] had to have a look at what they were doing and go with the flow.

Q: do you find there is a difference between the crowd that goes out into the town centre compared to here?

A: younger in the centre. I would say your 18 to 25. We try to discourage that age down here. I have stewards on the door and you usually find that if you give them a hard time just don't come back if you are on top of them, 'your behaviour is not welcome', and you are on their case they won't come in. They will go to a place where they can all be young together and be loud and be erratic in their behaviour.

Q: what are your opening hours?

A: we are open till 1am Friday, Saturday, Sunday. I have got the license on a Thursday and we do that every now and again, but usually we shut at 12 then.

Q: do you find that the crowd that come here stay here the whole night?

A: yes, I do. It used to happen that way that people would come in at 7, 8 o'clock and you couldn't get a seat. Now they used to come in groups and they would say, 'come on lets go in early so we can get a seat', which was ideal for me.

Q: how do you find the residents are to your presence here?

A: we have two residents left, one over there and the other round the corner. It is a Catch 22 thing as well because if you didn't have the pubs and the restaurants then Old town wouldn't be the way

it is and I bet their property value has risen since we all moved in as well. Every now and then you are reminded because you get a compliant in, but touch wood I have not got any complaints in for a long, long time. You used to get them all the time about music, people dispersing out of pubs at the end of the night, but we have not had complaint in for a long time, whether people have just accepted it now, I don't know.

Q: in terms of number of venue, how many are here in Old town?

A: there is here, [name of pub], [name of pub], [name of pub] just up the street, and then the amount of restaurants is scary. Including the carry out restaurants I think there is something like 24. But the good ones survive, the bad ones don't.

Q: what do you think of that number being in the area?

A: aye. There is always that fear that you might eat into each other's profits but my experience in this short time, is that if you do your own thing right you will get them in. Don't get me wrong I would love to be the only pub and restaurant here, but that is not life is it?

Q: what is your opinion of the pubs and the clubs in the town centre with regards to what they offer and overall quality?

A: they try to. Someone just made a massive investment this year and they opened the [name of pub], and [name of pub] and they just went bust, because they obviously saw a market, or they thought they saw a market, that wasn't there. Sometimes you go into [name of pub] and it is not the prettiest bar as it is a bit 'done in', but they are busy, and that is why they are busy. People are not walking into a big new posh place, people know where they are going to and it is just a meeting place because they have got a great area being just opposite the bus stop. So aye, people go to where they want to go to, and they have reasons for that.

Q: are there any PubWatch schemes that run in West Patrick?

A: well we used to. Under the last licensing Sergeant called [name of pub] he was involved with it massively and it was brilliant when we had it and I used it. The reason they had to suspend it was that there were only two or three of us involved in it, it was me, another guy from the [name of pub] and nobody else really bothered with it, but the threat of saying to someone, 'look, you are not only going to be barred from here, you will not be able to drink in Old town', and that was massive, fantastic. It is still a great threat to this day if you could still use it, but it does take time and effort, and it takes a bit of common sense and avoid the temptation to bar people for stupid things because we are in the industry where we are selling alcohol and the behaviour does get erratic at times. Our biggest problem last time was people wanting to make it personal and, 'they came in to our pub and were like this, and like that', and wanting them to get banned from all the pubs. If he comes in with a gun or a knife, or hit someone with a bottle, then aye, we don't want him about the place, and that is what PubWatch for mainly for, not for stupid wee stuff.

Q: is it something you would like to see start again?

A: I would and it is something that I have mentioned to [name of current licencing Sergeant] before, but it does take total backing from the cops, you need the backing from the cops, because they are the guys who are going to have to write a wee letter and put it through someone's door, then it hits home, because we have all done it, we have all been out on a Friday, Saturday night and sometimes you go home and your are a wee bit, 'what happened last night', but if you are waking up and there

is a letter with a police badge at the top of it saying, 'your behaviour was out of order', it makes you think twice before doing it again.

Q: what kind of problems do you get from the customers these days?

A: do you know the main problem we get, and it is horrible to say, but there are certain characters in Old town that profit out of drug related activities and everybody knows who these characters are, and people are intimidated, and I would go as far to say some are scared of them, and usually if there are any problems, like a fight, it is usually something to do with that because there is a bit of underlying tension because of that. But I think every city in Britain probably has the same.

Q: do you have stewards on the doors?

A: yes, Friday, Saturday from 9 o'clock. Don't get me wrong, recently I have been toying with the idea of taking them off because we have been so quiet, but at the same time you just don't want to get a bad reputation and sometimes all it takes is one idiot to give you a bad reputation.

Q: you touched upon it earlier, but is there a level of discretion used when dealing with people who have been drinking...

A: yes, it is just common sense. You are selling a toxin, you know what I mean? I think the licensing laws getting renewed has been fantastic, I mean some of the terminology of the old licensing laws for ethics, 'you are not allowed to sell someone who is drunk'. There is different levels.

Q: what is your overall opinion of the new Act?

A: I think overall it is good, but there are a couple of loopholes in it that I found out through the mobile bar side of it.

Q: could you elaborate?

A: the new Act puts a massive onus on the licensee and where they are operating the bar. Now someone has to be a personal license holder or else everybody working behind the bar has to have had formal training for at least two hours and a record kept of it, and that is brilliant because it means no stupid person is just coming in and running a bar. But the loopholes now are, that to get an Occasional License I used to have to have a fortnight to submit to the [name of council area] Council, go to the cops, the cops would sign it off and give it back and that was it. Now there is a different obligation that we have to host it and we have to advertise for seven days, but a Social Club now applies for an Occasional License, or somewhere that is not a formal pub, they used to have to show that they were a proper pub whether it be in their constitution or whether it be their Secretaries signature at the bank. Now they don't, now they just apply for it and the Laws that I just spoke to you about, the compliance with the two hour training, doesn't apply to them. So it is one of those situations where I am like, 'I am the guy that has experience for 20 years doing this, and I have all these things in place for me, why is it not in place for them?'.

Q: part of the new licensing has been to tie responsibility of people operating pubs like this to the behaviour of people once they are outside the venues. What do you think of that?

A: aye, I mean don't get me wrong, my girls are very aware of it. The thing is that every character we serve in here is different, every character. I could give you four pints and know that you would never give me any bother. Someone else I could give four pints and it would be touch and go, and I think you have got to make an assessment individually when people come to the bar. If you come to the bar and I know you I will give you a bigger duty of care than I will someone who I just see once

in a blue moon, and what I mean by that is that if I am toying with serving you again I will give you the benefit of the doubt because I know you and I know what you are going to do and how you are going to get back up the road, but if you don't have that experience with somebody that just walks in off the street, so you have got to take it individually. But it is a harder job now because all the staff know, I have six or seven through their personal license and I have put the onus back onto them by showing my due diligence by training them properly, and although they might be on minimum wage working in here only five hours a week they still have a massive duty of care because they could be found guilty if they serve someone who shouldn't be getting it so they could come back on to them instead of me.

Q: so would you say that the local knowledge that you have being in a small place like this is quite handy for somewhere like this?

A: you know people, you know who they are. I know when you go into [name of nearby large city] and you have the by trade that they have got you would really need to be more strict and by the law.

Q: does the fact that people are drinking more before they come out the pubs make such a judgement call harder to make?

A: it is hard, aye. Because it is not always apparent as alcohol doesn't kick in that way, maybe with another couple on top of that, or maybe a drink that they had not been drinking before that on top of everything else, is all it takes to put them over the edge.

Q: are you involved in any of the Licensing Forums at all?

A: I am not, I didn't put my name down just because I am busy, but it is something that I would liked to have done. It is hard to get people to be realistic about licensing as well, that is why [name of current licencing Sergeant] is worth his weight in gold because I can phone him if I have a problem and I know I am speaking to somebody who is in the real world, and sometimes I get cops coming in to me and going, 'no, that happened, this happened', and I am like, 'listen, do you think I want this to happen? Because this character was difficult and this was the way we treated it, blah, blah, blah', but you have got to be realistic.

Q: is that quite an important point of contact for you to have someone like [name of current licencing Sergeant]?

A: I think so. Not so much these days, but I used to phone them all the time and ask them about queries like, 'what is the law here, what am I allowed to do?', and they were always there and they were very good for me.

Q: what has been the biggest difference for you between the last Act and the current one?

A: I think the onus that has been put on the licensees. The onus that has been put on me and making sure that everyone of my staff is trained and trained to look out for what I have always looked out for.

Q: there are other things that the SNP government have talked about, such as a 'polluter pays' style tax, or 'minimum pricing'. What is your opinion on the way they are approaching the issue and do you think these will have much of an effect on the current situation?

A: here is my opinion, we have got an off-sales there, right, you could walk into that off-sales and buy five bottles of Buckfast, six bottles of vodka, and nobody will say, 'who is that for Sir?', right? I think back to when I was in America, and I think they treat alcohol properly and give it the respect it should. You can buy a can of beer or wine in any supermarket, but see if you want spirits, there is a

liquor store, and that store is licensed between that time and that time, and when you walk in you get asked for I.D., I even got asked for I.D. and that was five years ago because they have got a strict 25-or over policy for liquor and I think that is the way we should be heading. You will not get someone being abusive on two cans of lager. Wine, people misuse wine but it is mainly for people drinking it with meals, but Buckfast, who the council allows them to sell Buckfast, and I know that there will be Trading Standards saying that they can't do that, but I think they will because I think this is what they are trying to do with the Scottish Executive where they are trying to make substances with high alcohol content more expensive, but people will find something else, they will find another way.

Q: does the focus need to shift to off-sales?

A: I think the supermarkets, if you look at Sainsbury's spending £1,000's on advertising on the telly for 'buy-one-get-one-half-price' on cans of beer. Supermarkets have an monopoly on the market right now, I can buy me beer in the supermarket cheaper than I can at the wholesalers and that is not right.

Q: do you think that the economic downturn has an effect on things as well?

A: I think it will have an effect on the industry, and I know that the pubs are shutting across the country, but people will always find money for a wee bit of drink won't they? You can still find money for wee pleasures in life, just maybe not as much. People used to go out every Friday and Saturday, when I was younger I used to do that and the money I had I had to make do with. People are still making that choice and maybe saying, 'I will just go out Saturday', and I think that is what has happened. In my day though you didn't have credit cards or mortgages, nobody could walk into a shop and get debt, everybody paid for things with cash, and now people are rich but without having any money. I could walk into town and buy a telly today on a credit card, so people do have different responsibilities now.

Q: do you think the drinking culture has changed dramatically since your day?

A: no I really don't. I think the only way it has changed the way I see it is that younger people are drinking a lot quicker. When I was 18 I probably would have had a drink 3 or 4 times before that, now with all the alcopops, it is easier to get a hold of it, there is advertising in the papers and the telly... they are drinking younger.

Q: do you think that people are drinking more?

A: I don't think so, I would say less. My bar on a normal Monday to Friday, I used to have 30 people in here at 4 o'clock, 5 o'clock, with all the workers.

Q: has your pub changed over the years at all in terms of what it offers?

A: we are constantly going with the flow and the times and trying to make it always updated menu-wise, we started cocktails about a month ago to try and give it another twist... you have got to be on the ball, really got to be on the ball... Sky, we spend £1,600 a month on Sky and you will never get that back, you just have to take it as part of your rent, and the reason why it is so dear is because my rateable value is so dear here and that is how they calculate that, but I have got to have it.

Q: what is the rent here compared to the town centre?

A: shocking, shocking. The rates in Old town is shocking.

Q: is that something that has crept up over the years?

A: it is just unrealistic, we are rated on figures from eight, nine years ago and the figures we have now are nowhere near that. I used to draw £4,000 on a Friday night, now I am lucky if I get £1,500. So if you take that over a week, over a month, over a year, yet I am still paying the same rate.

Q: how supportive do you find the council to be over what you are trying to do here?

A: they are not too bad. I mean the rates is a structure so they are only going with the structure that the hierarchy has put in place and sometimes there is room for appeal, sometimes there is not room for appeal, but they will help you out, they will. But I think they are realistic about it as well because these guys drink in here as well and they know what, they can see what is happening, even the councillors, they know what is happening in the community and I think everyone is the same. In West Patrick we are not as bad as a lot of places, and if you were to sit an interview me and I had a pub in [name of nearby town], or somewhere way down in [name of town], these places are dead, and I think there was a statistic in the paper the other day saying that seven pubs in Britain are closing every week.

Q: so overall you're doing ok here then?

A: we are doing alright, not too bad. Things are tight though, and it is getting tighter, and the days were you had a lot of room to manoeuvre are gone.

Appendix 3: Coded transcript of interview front-line police officer

Neil Davidson: could you please tell what positions you have had in the police so far?

A: I have got 24 years' service. I started off in [name of Scottish towns] as a cop, community policing and CID background. I then got promoted into the city centre at [name of West Patrick police station] in 1995 till 2007 and then transferred down to here. Two years uniform response policing here, frontline attending the calls as they come in.

Q: what's your opinion of the NTE in West Patrick?

A: I don't think there is a great deal of crime. I think there is about four discos in the town centre and the only time you are getting problems is Friday, Saturday nights usually, 18 to 24 youths, alcohol fuelled violence. At the weekend just past there was three serious assaults, three of which all stemmed from the town centre, one of which happened elsewhere but was a revenge attack for something that happened in the town and followed them home to their home address. But generally a lot of the population in West Patrick are working, working families, earning money and socially that has an impact and you don't seem to see the same levels of crime you would say in other town and cities I would suggest.

The local NTE features

Q: is [name of nearby city] an attraction for West Patrick NTE patrons?

A: I think that is the case, it seems to be a younger crowd that drink in West Patrick for some reason but I don't know what that is whereas in [name of nearby city] you have got young people right through to older people going to places like the [name of nightclub] and there is venues you can go to depending on the age group that you have, but aye, I think there is a lot of people that go into [name of nearby city] and certainly the size of West Patrick doesn't relate to the amount of people that are using the town centre at the weekends because there is a high population in West Patrick and they are all drinking and socialising somewhere and it is certainly not West Patrick town centre.

Q: are there any issues related to when these people come back from [name of nearby city] to West Patrick?

A: no not really. Usually after the discos are finished at three in the morning that is it for West Patrick and it is wound up. You get the odd domestic incident and assault but I wouldn't say that there is any more during the week than there is at the weekend, it just kind of seems to be steady, but our business obviously peaks on a Friday, Saturday night and there is a lot of police officers over there which makes a huge impact. If you are going out without so many cops out there I think you would find a lot more crime. The town centre gives the police funding to cover the town centre so there is officers being paid for by the town centre to go and police over there and there is no doubt about it that if an officer is over there on foot patrol it has a huge impact. From a policing perspective it is good for us and if that funding fell away and we didn't have resources to put into the town centre I think you would find that crime would definitely go up.

features of the local NTE

Shopping centre pays for police

Market (model) of policing

Q: in your opinion, over the time you've been working here has anything changed about the town's NTE?

changes to wider NPE
 less money contributing to increase in off-sales = increase in street drinking

combined nature of on and off sales - missing up spatial definition of NPE?

A: the huge difference is that young people don't go to pubs as much as they used to, they don't have the money. We have tried to go down the round of alienating idiots from going into pubs and it has largely been successful and you don't get the same level of trouble. Maybe not 10 years ago, but 15 years ago you had a pub in a rough area and if two cops walked in there it was a Battle Royale! It really could be a hell of a rough. You don't get the same amount of idiots in all night like you used to because they simply do not have the money. What they tend to do is buy a carry-out and that is why street drinking has become more prevalent, or more obvious. We notice 18, 19, 20 year olds out with a carry-out before they go to a pub. They might go to a pub at 10 o'clock for the last two hours but they are not turning up sober, and maybe a tenner in the pocket to buy a couple of pints but they are well tanked up before they go there. Let's be honest, it is nearly £3 for a pint now and you can get 2 3 litre bottles of cider for a fiver, so that is the bottle line. But I tend to find is that these people are drinking more than just a Friday, Saturday night and it is not just social drinking it is definitely habit forming drinking and they will drink five or six days a week, especially when I was up in [name of nearby town] because I knew a lot of them and spoke to them over seven years and I spoke to them and they just didn't have the money and it was 19 year old on a street corner with a bottle of Buckfast simply because they didn't have the money to spend in a pub all night, they would only go into the pub for the last hour or so, and I think that is fairly obvious now that we don't have the same level of trouble now in pubs. You actually get trouble sometimes outside of pubs from people who have never been inside the pub, after the Old Firm match we noticed that there were certain pubs with people outside with carry-outs, not venturing inside the pub, standing outside with their carry-out.

local and nation combining

Q: with people drinking more before they go into pubs, what has been the effect on policing?

lack of control RE off-sales

A: it is an absolute nightmare, it's a nightmare. It's a logistical nightmare as well. If you had 600 drinkers in West Patrick and you could guarantee that they were in one of ten places then maybe trouble would kick off in 2 of them, you knew exactly how to resource that. If you have 600 people in 83 locations, it ain't easy to police, and it is always where it is going to annoy somebody. If people went somewhere and had a carry-out where you knew they weren't going to cause annoyance to anybody, we wouldn't be any the wiser they were there in the first place, nor would anyone phone in to tell us. We don't go hunting these people if they are in the woods somewhere having a drink. It always come to someone's notice, it is always in someone's driveway, or behind their house, or what have you and it always comes back on us, because why would you want that? So you would phone up, getting so cheesed off eventually, 'there is a crowd behind my house, please come out', and it happens every Friday, Saturday night in EK, it is non-stop.

Q: is that something that you have seen change over the years?

A: oh very much so.

Q: how do you go about policing that?

A: it is very difficult, it is prioritising. We don't prioritise the calls anymore because the calls don't come in here, they go to a contact centre, how then send it to a control room, the control room prioritise them, and it sounds convoluted but in actual fact it is a lot quicker, because if 14 people are phoning here then only one person can get through, there is only one person to answer the phone so it is only as quick as that person can take the calls, and the call centre it is seconds, it really is, but they prioritise and unfortunately for people who are just cheesed off with it, on a Friday, Saturday night it might just go way down the priorities, especially if it comes across as a group of kids causing annoyance by having a

4 bureaucratic ordering

Nominate Order

2

[police force has changed control room organisation = effect on front-line police work]

drink, as opposed to there is someone getting their head kicked in, or someone breaking into a house, etc., it is down the list of priorities, unless you are getting maybe six or seven calls at the same time and it is obvious that it is more than just street drinkers. Street drinkers, I could show on that [points to a computer] and honestly it would blow your mind and on a Friday, Saturday night it is incredible the amount of calls that come in for street drinkers, it is a huge problem.

Q: with the separate NTE in the 'Old Town', does that create any issues for you when designating resources?

A: it is all Friday, Saturday night, and as you identified there, there is quite a large volume of people down in Old Town as there is in the town centre, and as a Supervisor I will see how many calls are coming in from down there and you will try to allocate your resources accordingly. Say if there has been a disorder in the town centre you will put any additional resources you will have down there, likewise with Old Town. Old Town can be quite busy at times, sometimes even busier than the town centre on occasion.

Reading the landscape - prioritising appropriately

Q: what are the front-line resources available at 3am?

A: best case scenario in West Patrick I will be putting out five cars, ten officers and that is it for the whole subdivision, and that is best case scenario. There is occasion where you are putting three cars out, four cars out. The additional resources that we have with the Action Plans that we have for the town centre are always on foot-patrol on high visibility patrolling, but from my own point of view it is response policing we are dealing with so I have got three, four or five cars but it is very occasionally five cars to be honest and when you think about the size of West Patrick it is not a lot of police officers, so you can imagine that they are busy and that is basically what we have got to play with in West Patrick and it is not like in the City Divisions where you have 30 officers and everywhere you turn is a yellow jacket. It is just prioritising things basically.

Q: so what are the actual foot-patrol numbers in the town centre?

A: average Friday, Saturday nightshift you will have about four of them over there [New Town] and two in Old Town. Nightshift starts at 9pm and you have got the lateshift which overlaps till 2am, so you have got a period of time where you have more officers but you usually find that because of the volume of calls they are all in cars to cover any additional calls, anything that is surplus will go into the town centre but that is usually a luxury.

Q: does that feel adequate for the job?

*cost/benefit ratio of decision making
fair/balance of NTE*

A: I don't think there is an adequate number. As a manager you get frustrated because people are phoning up looking for the police to call by and to me it might not be a very important call, might be neighbours causing annoyance, but they still want the police to be there and they are not happy that they might have to wait two hours. So from a managers point of view I would say that it is not adequately policed and there should be more officers but I think that is just a gripe that you are doing to hear through and through, but we want to provide the best possible service to the public and it is frustrating when you can't do that. But our hands are tied with resources and the Force is going through a very difficult time, as you are probably aware, just now with the shortfall in funding so I don't see any more officers coming quickly.

Q: how do you feel about that situation?

A: you feel frustrated because there is never a happy medium because either the cops are going about with nothing to do or it is a crazy Friday, Saturday night and you're just swamped with calls. It is feast or famine, and it is always the same and there are times when they are walking about doing nothing and other times if you had another ten you wouldn't have enough, it is just the way that policing is I'm afraid.

Q: are there many Special Constables in West Patrick?

A: I don't see many. There used to be a lot but the numbers seem to have dwindled over the years. I think there is about two regular ones that come out here and they like working with a shift and when that shift is on they will phone up and ask if they can come out for a few hours and you will bite their hand off because it is another uniform out there, but no there is not a great deal of specials out now, and I don't know why that is as it used to be quite a popular thing and people used it as a stepping stone to get into the Force but it seems to have fallen away. It was great value for money as they came out and did a job, got all the hassle for it, and didn't get paid! Who would?

Q: overall, what is your opinion of the service they can provide?

A: I think in terms of numbers they are very good. If you get them out you can put them with an operational cop who has got experience and can provide that element of corroboration which we need in Scottish Law, but a lot of the times because of a lack of resources I will put cars out single crewed instead of double crewed. That has got its pitfalls because they can get into a situation where they are on their own and it might be difficult to get out of but it is risk management.

Q: is that something that is done quite frequently?

A: dayshift aye, and maybe 1st half of the backshift up to about 8 o'clock. Nightshift I wouldn't do it on a Friday, Saturday night just for the cop's safety element more than anything else.

Q: do you perceived there to be a higher or lower chance of being physically assaulted in a weekend nightshift?

[ex.] off front-line police work? Link to field-work?

A: definitely higher. You will probably find that the majority of assaults will happen between 8 o'clock at night and three in the morning, I'm sure statistics would bear that out, but that is our busy time and police assaults seem to be on the increase and I don't know why that is. The Force seems to go through phases when you get a lot and it tails off, but we are going through quite an increase in police assaults just now and that is despite the improved officer safety training, CS spray, batons and all the rest of it, some people just come at you anyway no matter what you are carrying, though it might be different if we ever get the taser guns!

[Safety] - Numbness Order

Q: do you believe there to be a connection with these issues and alcohol consumption?

A: aye. I don't think there is any doubt that a lot of policing problem come from excess alcohol, no doubt about it.

Q: is there any discretion when dealing with issues in the NTE?

A: the FPN system certainly saves a lot of those situations where it is low level offences, say a minor breach of the peace, urinating, public drinking, whereas before these people would have been getting arrested and brought back to the office, with this you can issue a FPN if it is appropriate and that certainly cuts down on my work. In terms of people that need the jail, they are still getting the jail, but

[Low] Numbness Order

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*→ FPN system combining with officer discretion
- saves time*

you are right, on a Friday, Saturday night you are thinking about the bigger picture and are thinking, 'if I arrest a female, she has to get taken to Bellshill', because that is where our female holding facility is, believe it or not. So a female gets locked up for a breach of the peace in the town centre you can forget about those officers for an hour, and hour and a half, by the time you get her to Bellshill, get her processed, finger print, photograph, and get back you are talking about an hour and a half, so that is an issue for us.

Q: so the resources available can affect the decision to make an arrest?

A: since I have been here, there is no female holding area in [name of Division] Division, which seems crazy, it is crazy, and sometime [redacted] gets filled very quickly because they are taking their own prisoners then you end up going to [nearby large city] you can be round the world as females cause a problem in terms of cell space. But coming back to the town centre and an arrest, aye it is on the back of the cop's minds, but you really need to nip something's in the bud and if you don't deal with things robustly they can escalate and what is a minor issue can build into a major issue later on. So I would say that anyone needing the jail is still getting the jail, but the cop's do need to use a bit of discretion for the minor things and be aware that people do daft things with a drink in them, and they are just that, daft things and a lot of people if you say to them, 'right you, get up the road', they will take that warning and think to themselves, 'ok, I am dealing with the police here', and that will be it finished, but some people who can't take the telling, there is no alternative for them.

[Mentally] women over — (Antiquated) Mentally of the NPE = use of discretion

Q: are the cells in West Patrick tripling up much?

A: regularly. There are 11 cells here and potentially you can take 33 prisoners here, but it never works out that way because you have got drug addicts and all the rest. So when we get filled up, usually on a Friday or a Saturday, it goes to [nearby town] and if they are full it is a case of phoning round other Divisions to say, 'can you take these prisoners?', it is as crazy as that, it is like 'Keystone Cops' stuff at times, phoning round. When I was working in the city centre, believe it or not but we used to take prisoners to [name of nearby town] because that was the only cell space because we had 70 prisoners at [name of West Patrick police station] and you would lose cop's for a couple of hours going to [name of nearby town] and back and then the prisoner gets released in the morning and goes, 'what the hell am I doing in [nearby town]?!', with no money and they basically turnaround and say that the police have effectively abandoned them well away from where they should be. But police are very good at managing what they have got, they make do, and we are like a catch-all service and just try to make things work.

[Resources specific to West Patrick] — female cells, observation cells

Q: how many observation cells are there here?

A: there are no dedicated ob cells here. What they have and will use is what's called the detention room and that adjoins the uniform bar area and there is a glass partition where you can see in. There are dedicated ob cells in [name of nearby town] so anyone that is high suicide risk, or self-harm risk, will go to [nearby town]. If it is someone who has maybe self-harmed in the past, or you feel it is appropriate to keep here, they can be kept here, but anyone who is a high risk would go to [name of nearby town].

Q: and D&Is?

A: aye, they should be fine. They need to be monitored every 15 minutes and if their condition deteriorates then you get an ambulance. You do get a lot of D&Is, believe it or not, and over a weekend

you can get ten or 12 D&Is in there and they can be time consuming as well because if you are watching them every 15 minutes, you may as well be watching them all the time.

Q: what % of calls do you estimate is linked to alcohol on a Friday, Saturday night?

A: honestly I would say it is about 90% is alcohol related, and that goes for your domestics, disturbances on the street, serious assaults are almost always linked to alcohol. Ok, you have got other calls in there like housebreakings and things like that, but they are minimal when compared to the levels of violence and disorder, and it is all alcohol related. Drugs also play a part but certainly mostly alcohol related.

Extent of issues - NZ linked to wider societal issues

Q: do you see members of the public treating officers differently because of their age?

A: you do find that. People will maybe have a go at younger officers because they feel they can get away with it and you do get some officers that look 10 or 11 and they will just attract attention and drinkers will tend to gravitate towards them and give them abuse, whereas the older head, maybe it is they get more respect or they think they won't get away with so much, I don't know.

Q: any differences in the sexes?

A: no I think it is pretty much the same across the board and there is a lot more female officers now and when I started there wasn't as many and I think that the public is more used to females officers now, whereas when I first started there was maybe one a shift and it is now pretty much a 50/50 split which is a good thing.

Q: how do you work as a unit when on shift?

A: we have to work closely. What will happen is, on the shift you will have a tutor constable and a probationer as a pairing, so most cops will get a regular neighbour and it can be a 50/50 split now with probationers. With respect to the team, I think you have got to have that close-knit because your neighbour could be up there getting assaulted and they have got to get there as quick as they can. There is different personalities on shift but at the end of the day they are all doing the same job and they realise that you can't fall out with someone on a shift because I am reliant on them coming to back me up. There is usually a lot of group loyalty, 'our group is better than yours', there is always that sort of team spirit. Sure we have fall outs, but we all realise that we rely heavily on each other particularly in sticky situations.

Q: West Patrick obviously has the big shopping centre in the middle of the town. Does that create any issues, or even advantages?

A: there is surprisingly few issues because when I came here the mall is quite open and I thought there would be a lot of disorder happening in and around the shopping areas but there doesn't seem to be any at all. There is town centre security certainly and there is CCTV over there, so I think the people drinking in the pubs they know that and they know they are going to get caught on camera and eventually identified, so I think that has an impact on it. So there is no great issue with that, surprisingly.

technology - impact of CCTV

Q: any problems getting to the other side?

A: it can be an issue, particularly if have cops who are not familiar with the area, because the town centre is set into different zones and the town centre security are usually the first to alert us to anything

reading the landscape 6

general Cop culture

that is ongoing and they will maybe say 'it's at the plaza', but it's then 'how do I access the plaza?', and it can take a long time particularly on foot, and cars going 'I don't know where that is', so the geography of the centre can throw some people and a lot of the time the town centre security are having to direct us to exactly where the it is, 'right I am at such and such, how do I get there?'. *(reading the landscape)*

Q: in your opinion do you think officers should know the layout of the mall to facilitate them?

A: definitely. You will find that the ones that are working here doing the majority of the overtime are the same ones week-in-week-out and it comes from a split from the Community officers and the shift officers that will take a share of the overtime that is available, so you get a bit of local knowledge built up, but we are getting a lot of younger officers coming through now with the big recruitment drive they had recently and they are the ones that need to be educated to it. If they have a map of it they can't go far wrong!

Q: CCTV. What role does that play in your nightshift?

A: it's very important. They are usually on things and they will say, 'there is a disturbance pending', maybe watching people on cameras and saying, 'this is maybe getting a wee bit out of hand', and they can then direct officers to stamp it out before it does get out of hand, 4 people get assaulted, someone gets glassed, so from that point of view it is an extra pair of eyes for us over the town centre. We have got quite a good relationship with the town centre security over there.

Q: any issues?

A: you can tend to have some over-reporting and it depends entirely on who is on. Some people have got the ability to identify what is going to be a problem and other people just think that everything is a problem, but that is just human nature, you can get that where, 'there is a disturbance here', 'oh, wait a minute, there is another one over there', and you get drawn about all over the place, but we would rather they phoned us and made a decision on what we have got there, but it can be a bit frustrating at times.

Q: are there any PubWatch schemes in the town or formal security networks?

A: we did used to have one, but I am not entirely sure it still runs. We don't get a lot of feedback, it should happen that these guys phone each other and go, 'this guy is in here causing problems', but from a policing point of view if someone is in a pub causing trouble then they should be phoning us because it is an offence. It is good having that sort of relationship but really they should be phoning us as well to go up and deal with these people before they move on and cause problems there. The PubWatch is a letter scheme, 'this guy is barred', but we really need to be involved so it can be dealt with properly.

Q: radio link to the police so you are hearing the information as well, would that be useful?

A: yeah. Licensees, from my own experience, don't tend to want to involve the police because they see it as a slight on their business involving the police, and it shouldn't be that way, we are there to assist and help them, but I think it is just that mentality of 'I don't want the polis to come here, if they come here people will think this is a bad pub and the police will think I am not managing the pub right', but we would rather give them a hand to sort out any issues. Some pubs are very good, don't get me wrong, but there does seem to be a general reluctance from the license holders to involve the police because think they think it will impact on their business.

Q: is this specific to West Patrick?

A: I think you will get that all over the place. There is one pub in particular in West Patrick that is not very well managed and when the police go up there the CCTV didn't seem to be working for some reason, everyone was washing the glasses and didn't see what happened, and they are not forthcoming and it is not very helpful. At the end of the day it could be you or I sitting in that pub getting assaulted and you are giving these people your business and it should be a case of, 'aye hold on a minute, it was him that done it', but it is just a case of as soon as they can get you off the premises the better as far as they are concerned.

Q: do you go into the pubs during a nightshift to check-up on them?

A: I always encourage it, and I think it is good that the licensee see that we are taking an active role and going into pubs and particular the punters see that we are going in. Pubs that are giving us problems, we will specifically target but if they are not forthcoming with information or there are incidences happening with the pub not being run properly, we will make sure we have got a presence in these premises just to say, 'hey, we are here and if you are not managing the pub properly we will make sure that there are no offences being committed', and they don't like that attention, so aye pubs are visited regularly. You will maybe find over a weekend there might be 30 pub visits and the same pubs might be visited two or three times. In general you will get a good reception and they are happy to see you, but some pubs are clearly not happy to see you.

Q: so, a premise has been the scene of some trouble in the past; what can you do out on shift to ensure that doesn't happen again?

A: there has been a few pubs where we have not met with a good reaction so I will make a point of putting in an Action Plan in, and it is nothing scientific, it is just a plan to say, 'there is problems identified with this pub and we intend to target it', and I will maybe go out with a van with four cops and me and two cops will go in and two stay outside as backup just in case something blows up, but I think doing these things at shift level you have got to try and take ownership of these things because if you don't, who is going to? We are the ones that are seeing it day-in-day-out, and there is a lack of resources, but you have still got to try and do something because if no-one did nothing the nothing would get done. So aye, there is Action Plans put in for these premises and we have got a licensing department as well who will flag up divisionally premises that are continually being a problem and they have got the bigger picture up there and seeing it from all shifts, and I will see it from my shift and get a reaction but there is four groups that work out here and there is maybe another two groups that have got the same problem, so the licensing put a bulletin out saying, 'these premises are causing problems, these officers have been involved in it', and maybe try and pull something together so we can have a joint approach.

Q: so you're in it day-to-day but someone more removed can see the bigger picture?

A: the licensing will look at it and they will approach the licensing board of the council as well and they can then pull these people in and give them a gypsy's warning basically and say, 'well listen, the police are not happy with the way you are running it so pull your socks up, or else we are going to be looking at you at the next licensing board'. So aye, that's the role of the licensing board, they have an overview of it and they should come back to us if there is other groups having issues with them.

Q: you notice any changes with the new licensing act coming in?

adaptive strategies

control role of

Integrativist (model) Licensing Dept role

bureaucratic ordering - normative order
 - hierarchical organisation
 - police licensing concept
 - *Integrativist (model)*

A: I think it is still bedding in just now. I have not noticed any great difference, that said there is not a high incident of offending in pubs, I have not noticed any great increase in the workload. The legislation is there to assist us and the cops are aware of the new legislation that they can use, but I have not noticed any great increase in work for them.

Q: how do you identify that a pub might be at fault for an incident that happens outside a premise?
How do you appropriate blame or is it even possible to do that?

A: it can be difficult. Obviously if you are getting a fight outside a pub, the chances are it came from that pub and as part of the investigation, if someone is arrested, we will go into the pub and ask 'was this person in here, was he causing any trouble?', particularly if they have had too much to drink because the licensee shouldn't be serving them if they are drunk, but you will usually find that pubs are usually alert to that and they are trying to get people out and away as quick as possible before we get involved. But you can apportion some blame to the license holder if you can tie them into the pub and it is something that the police will reflect in their police report to the Fiscal and to the Licensing, albeit it there is no concrete evidence, it would appear that this person has been drunk while in there, and at the end of the day that is hearsay and you can't use it as evidence, but it can build up a bigger picture of that premises.

Q: say a fight happens outside nowhere near a premise, is it challenging to tie to a particular premise?

A: definitely aye. They have consumed alcohol but the source of it would be hard to identify.

Q: do you mean people drinking in off-sales?

A: aye.

Q: with people drinking a lot before they come out, does that create any issues?

A: It is just human nature, the cost of alcohol in pubs now, I would say virtually everybody is sitting in the house, drinking till 10, 11 o'clock then say, 'right a couple of drinks in the pub then off to the nightclub', and it think that is where most of our business is stemming from, that late period of the backshift, to the early period of the nightshift when you are getting all these people coming out after drinking in the house. Occasionally you will get a call to a disturbance and they will say to you, 'aye, we were just having a wee party before we went out', so they are sitting there with a couple of bottles of wine and then making their way into the town centre and it just leads to carnage.

Q: is this connection with the off-sales and the on-sales of the town centre something new tor has it always been an issue?

A: I think that is a new behaviour that people just do, whereas when I was growing up and going into pubs, you went into the pub during the day and it then it closed at 11 o'clock and that was it, so people were drinking in the pubs and it wasn't so dear, but now, even my daughter has a few drinks in the house as well before she goes out because of the cost involved in drink, but I think that is a behaviour that is becoming more prevalent.

Q: Do you perceive that management officers are aware of the role of front-line officers in the NTE?

A: I think senior managers are pretty much switched on as to what is happening. Briefings have gotten a lot better, and they will sit in the morning and every time police go something there will be an 'incident' created, so they will look at the 24 hour period, and you have got analysts which we never had before and they will go through every call needing police resources and they will link in with our resource manager who is someone who basically looks at resources, and it is done in call demand, and try to get as much resources on when the calls are busiest. Senior managers are very alert to that now

(Lapcutt)

management vs beat cops?

↳ no gap in knowledge?

— cont. overlap ...

(changes to wider NTE) - off sales

drinking in other locations - less able to control spread

and they are aware of the problems we face, but like everything else the financial constraints are such that you just can't have as many police officers as want. But I would say that there are much more aware of what is happening, whereas before they maybe sat in their office and that is no longer their role anymore and they are much more switched on and you can't not be with the amount of analysts, resource managers, it is all statistics and you could get a report that would tell you everything about every call, how many cops we had on, but the stark reality is you maybe get 50 calls and that might not look like a particularly busy period, but ten of those might be domestic incidences which are very, very time consuming. One call might be someone peeing on the street which you could deal with in two minutes, so you can't really relate the amount of resources to calls, per se, because of the amount of time dealing with them, but that is what the analysts look at because there was 50 calls, but one call could take you three hours and another could take you ten minutes.

Q: do the initiatives coming down from [name of police station in charge of region] feel relevant to what you are trying to do down here?

A: we have what's called 'campaigns against violence', and what will happen is you maybe get a couple of campaigns that will come from the centre that everybody has got to do, but out with that you have got localised initiative plans which is basically devolved back to Divisional Commanders to identify what problems are happening in their areas and target them. So albeit you do get the ones from the centre that everyone has got to do, but I think there is more scope now for the Area Commanders to challenge problems in their areas.

management VS heat cops - disparity between top and bottom in decision making

Q: would you change anything to make your job easier, particularly as a shift sergeant?

A: I am not identified in anyway? I would disband the Community Policing. I know that was something that the Chief really wanted, and initially I thought 'aye, that looks good. You are going to have all these Community Officers dealing with the issues that normal people have', but the reality is we have taken all these cops away from the core shifts to make up the Community Policing. Now the work for the core shifts has stayed the same, the work hasn't reduced dramatically. So you have still got the same work, but you have got a lot less officers and it is pared back to the bone and response policing, as far as I am concerned, is in tatters. You have got Community Cops up there doing day shifts and the majority of our calls happen during the lateshift and nightshift when these guys are home in their bed sleeping. So, a purely personal point of view, I would disband the Community Cops, put the officers back on the street, because see at the end of the day, the public don't care about Community Policing Teams. Do you know what they care about? You pick up that phone and say. 'I have got a problem here and need the police', and they want the police there in a reasonable time, and I don't think we are performing that obligation at the moment, I really don't. And it is not the cops on the street, they are dying to fill that, they just can't do it because of the lack of numbers.

Q: they just can't physically do it?

A: see if I had a team of 15? I could cover all the calls, plus I would have scope to do extra, 'right, you four are going out in plain clothes tonight', 'I have got an issue up in [name of housing scheme in West Patrick], I want you to go up an hammer [name of housing scheme in West Patrick', and I think the public would get a better service. As far as I'm concerned, that is what the Community Police should be doing! See the issues that the community have got, which is invariably disorder round about the shops,

negative influence of bureaucratic ordering 10
positive order
- CP ex.

gang fights, right? There is 30 of you up there [referring to Community Cop offices upstairs] what are you doing? Go out in a van and go target that, target this, and make an impact. It is not for me to decide, but that's what I would do.

Q: if they are not responding to calls and not reducing the workload, what are they doing?

A: they are very occasionally responding to a call, but anything that needs a responding to pretty urgently, which in most cases everybody wants a quick response, you have got Community Officers walking a beat, and they might be two miles away from where the call is, so the control room is just going to send a resource to it which they know will get there quicker. And aye ok, you maybe have the Community Cops picking a neighbour dispute, or picking up this or that, but it is not really having a huge impact on the service delivery. But that is just a frustrated Sergeant with a lot of service talking!